



DOI: [10.24014/jush.v33i1.35921](https://doi.org/10.24014/jush.v33i1.35921)

p-ISSN: 1412-0909

e-ISSN: 2407-8247

Available online at website: <https://ejournal.uin-suska.ac.id/index.php/ushuluddin>

Intertextual Reading of Qisas in Q.S. Al-Maidah: 32–33: A Comparative Analysis of Islamic Scholars and Orientalists

Moh. Yardho¹, Fadhil Achmad Agus Bahari², Abdul Rohman³

Universitas Islam Negeri Sunan Ampel Surabaya, Indonesia

myardho@gmail.com¹, 2016fadhil@gmail.com², ilmanhaq9@gmail.com³

Article Information

Received: February 17, 2025

Revised: May 21, 2025

Available online: June 01, 2025

Published regularly: June 2025

Copyright © 2025 by Authors,
Published by Jurnal Ushuluddin.

This is an open access article
under the CC BY License

<https://creativecommons.org/licenses/by/4.0/>

Keywords

Islamic Scholars, Orientalists,
Analysis Comparative, Intertextual
Reading, Qiṣāṣ Concept, Qs. Al-
Maidah: 32-33

Abstract

Qiṣāṣ is a legal principle that existed in pre-Islamic religions, and in Surah Al-Maidah (5:32-33), the law of qiṣāṣ intersects with Biblical sources. However, the intertextual readings by mufasirun (Qur'anic commentators) are often disproportionate. Additionally, the concept of Orientalist intertextual analysis has created a disconnect with the field of 'ulūm al-Qur'ān (sciences of the Qur'an), which has implications for the interpretation of these verses. This article aims to explore the Qur'ān's stance on the Biblical tradition in the context of qiṣāṣ through intertextual analysis, applying the principles of 'ulūm al-Qur'ān. As part of a literature review, the primary source, Surah Al-Maidah (5:32-33), will be examined alongside secondary sources, including scholarly and Orientalist interpretations, to enhance the analysis. This study employs the qualitative data analysis method developed by Miles and Huberman, which involves data condensation, data presentation, and conclusion/verification. This article demonstrates that the Qur'ān engages with the Biblical tradition in two significant ways: 1) It affirms qiṣāṣ as a law that is already present in Abrahamic religious texts, specifically in Leviticus and the Mishnah Sanhedrin. This affirmation highlights the Qur'ān's intertextual connection with the broader Biblical tradition; 2) The Qur'ān revises the earlier concept of qiṣāṣ in the context of a critique directed at the ahl al-Kitāb of Medina and a condemnation of the behaviors characteristic of the Jahiliyya Arabs. Furthermore, Qur'an 5:32 can be interpreted as a foundational principle for the application of diyat in Islamic law, distinguishing it from previous qiṣāṣ laws

Kata Kunci

Ulama'; Orientalis; Analisis
Komparatif; Pembacaan
Intertekstual; Konsep Qiṣāṣ; Qs.
Al-Maidah: 32-33

Abstrak

Qiṣāṣ merupakan asas hukum yang sudah ada dalam agama-agama pra-Islam, dan dalam Surah Al-Maidah (5:32-33), hukum qiṣāṣ bersinggungan dengan sumber-sumber Alkitab. Akan tetapi, pembacaan intertekstual oleh mufasirun (para

penafsir Al-Qur'an) sering kali tidak proporsional. Selain itu, konsep analisis intertekstual orientalis telah menciptakan keterputusan dengan bidang 'ulūm al-Qur'ān (ilmu-ilmu Al-Qur'an), yang berimplikasi pada penafsiran ayat-ayat ini. Artikel ini bertujuan untuk mengeksplorasi sikap Al-Qur'an terhadap tradisi Alkitab dalam konteks qisās melalui analisis intertekstual, dengan menerapkan asas-asas 'ulūm al-Qur'ān. Sebagai bagian dari tinjauan pustaka, sumber utama, Surah Al-Maidah (5:32-33), akan diperiksa bersama sumber-sumber sekunder, termasuk interpretasi ilmiah dan orientalis, untuk meningkatkan analisis. Studi ini menggunakan metode analisis data kualitatif yang dikembangkan oleh Miles dan Huberman, yang melibatkan kondensasi data, penyajian data, dan kesimpulan/verifikasi. Artikel ini menunjukkan bahwa Al-Qur'an terlibat dengan tradisi Alkitab dalam dua cara yang signifikan: 1) Al-Qur'an menegaskan qisās sebagai hukum yang sudah ada dalam teks-teks agama Abraham, khususnya dalam Imamat dan Mishnah Sanhedrin. Penegasan ini menyoroti hubungan intertekstual Al-Qur'an dengan tradisi Alkitab yang lebih luas; 2) Al-Qur'an merevisi konsep qisās sebelumnya dalam konteks kritik yang ditujukan kepada ahl al-Kitāb Madinah dan kutukan terhadap perilaku yang menjadi ciri orang Arab Jahiliyya. Lebih jauh lagi, Al-Qur'an Surat 5:32 dapat dimaknai sebagai prinsip dasar penerapan diyat dalam hukum Islam, yang membedakannya dengan hukum qisās sebelumnya

Introduction

Qisās is defined as the perpetrator in the same manner as he acted.¹ From a historical perspective, *qisās* is a legal principle in Islam that predates the revelation of the Qur'an, as indicated in Surah Al-Maidah, verse 45². The existence of this law in Abrahamic religions is demonstrated in Qur'an, Al-Baqarah: 178-179³. and Al-Isra': 33⁴ The existence of *qisās* during the Jahiliyah period is noteworthy. The *fuqahā'* particularly utilized these verses as the legal foundation for the implementation of *qisās*⁵. From the perspective of Western scholars, an intertextual approach highlights Qs. Al-Maidah: 32 as a

¹ Ali Bin Muhammad Al-Jurjani, *Kitāb Al-Ta'rīfāt*, 1 Ed. (Lebanon: Dār Al-Kutub Al-'Ilmiyyah, 1983), 220.

² Muhammad Bin Jarir Al-Ṭabari, *Jami' Al-Bayan Fi Ta'wil Al-Qur'an*, Vol. 8 (Beirut: Mu'assasah Al-Risalah, 2000), 468–69.

³ Nāṣir Al-Dīn 'Abdullāh Al-Bayḍāwī, *Anwār Al-Tanzīl Wa Asrār Al-Ta'wil*, Vol. 1 (Beirut: Dār Ṣādir, 2001), 108; Muhammad Bin Jarir Al-Ṭabari, *Jami' Al-Bayan Fi Ta'wil Al-Qur'an*, Vol. 3 (Beirut: Mu'assasah Al-Risalah, 2000), 96.

⁴ Muhammad Bin Jarir Al-Ṭabari, *Jami' Al-Bayan Fi Ta'wil Al-Qur'an*, Vol. 14 (Beirut: Mu'assasah Al-Risalah, 2000), 584.

⁵ Muhammad 'Ali Al-Shabuni, "Rawai' Al-Bayan Fii Tafsir Al-Ayat Al-Ahkam," Vol. 2 (Beirut: Al-Maktabah Al-'Ishriyyah, 2017), 174–80.

verse that addresses the concept of *qiṣāṣ*⁶. It is concluded that the fundamental difference between Islamic scholars and Western scholars in interpreting Qs. Al-Maidah: 32, whether it is connected to *qiṣāṣ* or not, lies in the perspective employed. This issue will be explored in greater depth in this article.

In Qs. Al-Maidah: 32 there is a narration *katabna> ‘ala> Bani> Isra>i>l* / ‘set for the Children of Israel, indicating that this information is found in Biblical sources. This narration also confirms that the Qur'an is a scripture connected to the texts revealed to previous prophets. As part of the Abrahamic religions, these holy books share similarities in substance and ideas, particularly concerning monotheistic theology.⁷ The Qur'an asserts its role as a scripture that both affirms and corrects the earlier scriptures⁸.

Even with the narration of *katabna> ‘ala> Bani> Isra>i>l* - as in Qs. Al-Maidah: 32-While this clearly demonstrates the connection, not all mufassirs engage in intertextual reading. According to Gabriel S. Reynolds, this reluctance stems from Islamic scholars' belief in the distortions and alterations that have occurred in earlier holy texts⁹.

In contrast to the mufassirun, the orientalist are the ones who engage in the most intensive intertextual reading. They are characterized by two tendencies: first, those who tend to decontextualize the Qur'an¹⁰ Consider it an imitation of the Bible¹¹; Second, those who examine the Qur'an from a literary and historical perspective demonstrate how it reinterprets information from the Biblical tradition¹².

⁶ Joseph Benzion Witztum, "The Syriac Milieu Of The Quran : The Recasting Of Biblical Narratives" (Princeton University, 2011), 123–24; Gabriel Said Reynolds, *The Qur'an And The Bible (Text And Commentary)* (New Haven: Yale University Press, 2018), 199, <https://doi.org/https://doi.org/10.12730/13091719.2019.101>.

⁷ Bobby Kurnia Putrawan Dan Edward Everson Hanock, "Abraham's Legacy: Togetherness Of Christian And Islamic Faith," *Jurnal Theologia* 33, No. 1 (16 Juni 2022): 31–32, <https://doi.org/10.21580/Teo.2022.33.1.10575>.

⁸ Ali Mansur, "People of the Book in the Qur'an: Fazlur Rahman's Model of Interpretation," In *Contemporary Qur'anic Studies: New Discourses on Various Tafsir Methodologies*, Ed. Oleh Abdul Mustaqim Dan Sahiron Syamsudin, 1 Ed. (Yogyakarta: PT. Tiara Wacana Yogya, 2002), 55.

⁹ Reynolds, *The Qur'an And The Bible (Text And Commentary)*, 1; Gabriel Said Reynolds, "On The Qur'anic Accusation Of Scriptural Falsification (Tahrīf) And Christian Anti-Jewish Polemic," *Journal Of The American Oriental Society* 130, No. 2 (11 Juni 2010): 189, <http://www.jstor.org/stable/23044514>.

¹⁰ Angelika Neuwirth, "Orientalism In Oriental Studies? Qur'anic Studies As A Case In Point," *Journal Of Qur'anic Studies* 9, No. 2 (Oktober 2007): 116, <https://doi.org/10.3366/E1465359108000119>.

¹¹ Daneil Madigan Explains In The Introduction Of This Book, That The Paradigm Used By The Old Generation Of Orientalists Such As Luxenberg Was Anti-Muslim Polemics. See Further Gabriel Said Reynolds, *The Qur'an In Its Historical Context*, Ed. Oleh Gabriel Reynolds, 1 Ed. (London: Routledge, 2007), Vii, <https://doi.org/10.4324/9780203939604>.

¹² Adrika Fitrotul Aini Dan Asep Nahrul Musadad, "Late Antiquity Context and Microstructure Analysis as a Counter to Skepticism of the Originality of the Qur'anic Text: Reflections on the Thought of Angelika Neuwirth," *Suhuf* 10, No. 1 (8 September 2017): 175, <https://doi.org/10.22548/Shf.V10i1.249>.

Generally, intertextual analyses by Orientalists dismiss the hadith as a source for interpreting the Qur'an¹³ This is due to their skeptical paradigm in understanding religion¹⁴ The issue of codifying hadith is viewed as being driven by various interests.¹⁵ The negation of hadith by Orientalists influences intertextual readings and directly affects the understanding of verses. This is because hadith serves as a significant historical and explanatory source for the Qur'an, accompanying its emergence¹⁶.

However, the lack of intertextual reading conducted by the mufasir—particularly regarding Qur'an Al-Maidah: 32-33—should serve as an antithesis to Orientalist interpretations, which renders this intertextual discourse unbalanced. Given this issue, an urgent need arises for an intertextual reinterpretation that addresses both the perspectives of Orientalists and the oversights of certain Muslim scholars (mufasir).

This article aims to address the aforementioned problem based on the hypothesis that the principle of 'ulūm al-Qur'ān, when applied to interpretation, holds significance for intertextual reading. This research seeks to explore the position of the Qur'ān in relation to Biblical tradition, particularly in the context of *qiṣāṣ* as presented in Qs. Al-Maidah: 32-33. The article is expected to offer a more collaborative and balanced intertextual reading; therefore, it avoids a reading that focuses solely on the text. Instead, it approaches the text as an emerging entity, utilizing a historical perspective as the primary lens through which to examine the intertextuality of the scriptures.

This research employs the qualitative data analysis method developed by Matthew B. Miles and A. Michael Huberman. The analysis was conducted in three stages: data condensation, data display, and data summarization/verification¹⁷. As mentioned previously, a historical-intertextual exegesis has been

¹³ This Can Be Seen From Neuwirth's Chronology Of The Qur'anic Surahs, Which Does Not Use Sabab Al-Nuzul As A Chronological Benchmark. Angelika Neuwirth, *The Qur'an And Late Antiquity, Translated By Samuel Wilder* (New York: Oxford University Press, 2019), 6, <https://doi.org/10.1093/oso/9780199928958.001.0001>; Reynolds Does Not Accept The Concept Of Makkiyah-Madaniyah Because The Database On Which It Is Built Is The Hadith, Which He Considers To Have Authenticity Problems. Reynolds, *The Qur'an And The Bible (Text And Commentary)*, 4–5.

¹⁴ Saifuddin Zuhri, "Understanding Orientalists in Examining the Quran and Hadith: The Difference Between Understanding and Believing According to Alasdair Macintyre," *Journal of Qur'anic and Hadith Studies*. 18, No. 1 (28 Mei 2018): 116, <https://doi.org/10.14421/Qh.2017.1801-06>.

¹⁵ Ulummudin, "Orientalist Research On Hadith According To Harald Motzi," *Al-Bukhari: Journal of Hadith Science* 3, No. 1 (11 Juni 2020): 91, <https://doi.org/10.32505/Al-Bukhari.V3i1.1468>.

¹⁶ Jalāluddīn Al-Suyūṭī, *Lubāb Al-Nuqūl Fī Al-Asbāb Al-Nuzūl* (Lebanon: Dar Al-Kotob Al-Ilmiyyah, 2019), 7–8.

¹⁷ As Mentioned In Introduction Of This Book: "By Condensing, We're Making Data Stronger". (We Stay Away From Data Reduction As A Term Because That Implies We're Weakening Or Losing Something In The Process.) Matthew B. Miles, A. Michael Huberman, Dan Johnny Sardana, *Qualitative Data Analysis: A Methods Sourcebook*, 3 Ed. (Washington: SAGE Publication, 2014), 31.

compiled. Other data are utilized solely to strengthen the analysis. The intertextual readings are derived from the interpretations of Islamic scholars (mufasssir) and Orientalists. The exegesis texts used as the objects of study include Mafatih Al-Ghayb¹⁸, *Jami' Al-Bayan fi Ta'wil Al-Qur'an*¹⁹, *Al-Tafsir Al-Hadith*²⁰, *Ma'alim Al-Tanzil*²¹, *Al-Tahrir wa Al-Tanwir*²², and *Tafsir Al-Qur'an Al-Hakim: Tafsir Al-Mannar*²³. The Orientalist interpretations that were utilized as subjects include the Qur'an and the Bible (*Text and Commentary*)²⁴, *The Banquet: A Reading of the Fifth Sura of the Qur'an*²⁵, and *The Syriac Milieu of the Quran : The Recasting of Biblical Narratives*²⁶.

The data were subsequently simplified and distilled into two intertextual issues: 1) the relationship between the *qiṣāṣ* ruling in Qs. al-Maidah: 32-33 and the pre-Islamic *qiṣāṣ* law; 2) the intertextual problem concerning the meaning of of murder in verse 32 and its significant implications for *qiṣāṣ* law.

In the data display stage²⁷, The interpretations obtained previously are described to elucidate the interpretation process from the perspectives of text, context, and intertextuality. The next stage involves drawing conclusions and verifying findings.²⁸ This stage supports the hypothesis presented in this article and generates a new, more comprehensive understanding.

The Qur'an from the Perspectives of Islamic Scholars and Orientalists: Elaborate Paradigms of Intertextual Reading

The Qur'an is a scripture that affirms the teachings of earlier scriptures and the messages of previous prophets.²⁹ The relationship between the Quranic text and other textual sources, in contemporary terms, is referred to as intertextuality. The Qur'an's perspective on previous scriptures is

¹⁸ Fakhruddin Al-Razi, *Mafatih Al-Ghaib*, Cet. III (Beirut: Dar Ihya' Al-Turas Al-'Araby, 2000).

¹⁹ Muhammad Bin Jarir Al-Ṭabari, *Jami' Al-Bayan Fi Ta'wil Al-Qur'an*, Vol. 6 (Beirut: Mu'assasah Al-Risalah, 2000).

²⁰ M. Izzat Darwazah, *Al-Tafsir Al-Hadits, Al-Maktabah Al-Syāmilah*, Vol. 9 (Kairo: Dar Ihya Al-Kutub Al-'Arabiyah, 1971).

²¹ Abu Muhammad Al-Husain Bin Mas'ud Al-Baghawi, "Ma'alim Al-Tanzil Fii Tafsir Al-Qur'an," In 5 (Beirut: Dar Ihya' Al-Turas Al-'Araby, 2000), 91.

²² Muḥammad Al-Ṭāhir Āsyūr, *Al-Tahrir Wa Al-Tanwir, Al-Maktabah Al-Syāmilah*, Vol. 30 (Tunisia: Ad-Dar At-Tunisiyah Li An-Nasyr, 1984).

²³ Muhammad Rasyid Bin 'Ali Ridla, *Tafsir Al-Qur'an Al-Hakim: Tafsir Al-Mannar*, Vol. 6 (Mesir: Al-Hay'ah Al-Miṣriyyah Al-'Ammah Li Al-Kitāb, 1990).

²⁴ Reynolds, *The Qur'an And The Bible (Text And Commentary)*.

²⁵ Cuypers, *Fi Nazm Surah Al-Maidah, Terj 'Amr 'Abd Al-'Ati Salih*.

²⁶ Joseph Benzion Witztum, "The Syriac Milieu Of The Quran : The Recasting Of Biblical Narratives."

²⁷ This Stage Includes Methods By Describing, Ordering, And Explaining. Miles, Huberman, Dan Sardana, *Qualitative Data Analysis: A Methods Sourcebook*, 105.

²⁸ This Stage Offers Additional Analytical Tactics To Generate Meaning From The Data And To Test Or Confirm The Findings. Miles, Huberman, Dan Sardana, 242.

²⁹ Al-Razi, *Mafatih Al-Ghaib*, Vol. 12. H. 371.

based on a selective paradigm; not all content from earlier texts is adopted, even though the Qur'an states:

‘So, if you are in doubt, [O Muḥammad], about what We have revealed to you, then ask those who have been reading the Scripture before you...’³⁰

The implication of this paradigm is that one cannot freely use previous scriptures as a source without verifying their authenticity.

Yasin Al-Fadani³¹ In his review of the book al-Luma', Abu Ishaq mentions several opinions related to the term shar'u man qablanā. One opinion regarding the definition of this term states, “The Shari'ah of Moses is our Shari'ah (Islam), except for that which has been abrogated by the Shari'ah of Isa.” Additionally, al-Fadaniy includes the argument found in Surah al-Maidah, verse 44,

‘Indeed, we have revealed the torah, which contains guidance and light. Through it, the prophets who submitted to Allah rendered judgments on matters concerning the Jews. Their rabbis and scholars also provided judgments, as they were commanded by Allah to safeguard the Book of Allah and were witnesses to it.’³²

This opinion, as stated by the author, can be interpreted as an affirmation of the Jewish belief in the sacredness of the Mishnah. This perspective has significant implications for the validity of efforts to intertextualize the Qur'an with Biblical sources.

Husein Al-Dzahabi³³ The interaction of the Companions with information from Ahl al-Kitab is explained, indicating that news sourced from Isra'iliyat (Biblical tradition) can be utilized for interpretation as long as it does not conflict with the Aqidah and does not contradict the Qur'an. Conversely, if it contradicts these principles, it should not be used. However, if the equivalence or contradiction cannot be confirmed, then neither affirmation nor rejection is warranted. Regarding this last issue, Al-Dzahabi based his stance on the words of the Prophet Muhammad:

‘Neither confirm ahl kita>b (the People of the Book) nor deny them, but say: ‘We believe in Allah and what has been revealed to us...’³⁴

Unlike Al-Dzahabi, according to Neuwirth³⁵, The intertextuality of the Qur'an in relation to its predecessor sacred texts cannot be understood in a dualistic manner of right or wrong. The author based

³⁰ “Surat Yunus: Arab, Latin Dan Terjemah Lengkap | Quran NU Online,” Diakses 3 Februari 2025, <https://Quran.Nu.Or.Id/Yunus#94>.

³¹ Muhammad Yasin Al-Fadani, *Bugyah Al-Busytaq* (Beirut: Dar Ibn Katheer, 2022), 200.

³² Q.S. AL-Maidah [5]:44 LPMQ, “Qur'an Kemenag” <https://Quran.Kemenag.go.id/Quran/Per-Ayat/Surah/5?From=44&To=44>.

³³ Muḥammad Husayn Al-Ḍahabi, *Al-Tafsīr Wa Al-Mufasssirūn*, 1 Ed., Vol. 1 (Kairo: Maktabah Wahbah, 2014), 44–45.

³⁴ Qs. Al-Baqarah: 136

³⁵ Neuwirth, “Orientalism In Oriental Studies? Qur'anic Studies As A Case In Point,” 115.

her argument on the premise that the emergence of the text is part of the dynamic and creative critical process that reflects the achievements of a civilization. In terms of historical context, Neuwirth contended that the Qur'an addresses societal issues across various dimensions, including social, economic, spiritual, and traditional aspects,³⁶ The Qur'an emerged within the context of the Abrahamic theological tradition³⁷.

Neuwirth views the Quran as participating in a theological dialogue with the Bible. This dialogue illustrates the Quran's self-perception as both a continuation and a correction of the Biblical tradition.³⁸ She examined how the Quran adapts, modifies, and occasionally critiques these traditions to articulate its own theological and ethical teachings. This process of reception and transformation is essential for understanding the Quran's unique identity.³⁹

Fazlur Rahman has an inclusive view⁴⁰, According to this perspective, the aspect of the Qur'an that should be emphasized is universal moral values rather than specific legal rulings.⁴¹ Neuwirth⁴² also shares a similar perspective, asserting that moral values are the most distinctive aspect that sets it apart from the Bible. Consequently, in addition to criticizing the biases of Islamic scholars, she advocates for a critical examination of previous teaching sources as a means of reflecting the communication process.⁴³

The difference between Al-Dzahabi and Neuwirth or Rahman essentially signifies a paradigm shift, transitioning from a theological framework to a hermeneutical one.⁴⁴ However, an individual's paradigm of the Qur'an continues to influence interpretation. This influence cannot be separated from the Orientalists' dismissal of aspects in ulūm al-Qur'ān, as noted by Neuwirth⁴⁵. The concept of sabab al-nuzūl is not utilized as a chronological benchmark by some scholars, including Reynolds, who dismisses the traditions of sabab al-nuzūl and negates the distinction between Makki and Madani verses⁴⁶. Both of them did not utilize the concept of sabab al-nuzūl, which indicates that the Qur'an serves as both an affirmer and preserver of previous scriptures. This reflects the discourse

³⁶ Abdullah Saeed, *The Quran: An Introduction* (London & New York: Routledge, 2008), 2.

³⁷ Neuwirth Angelika, "Locating The Qur'an In The Epistemic Space Of Late Antiquity," *Ankara Üniversitesi İlahiyat Fakültesi Dergisi* 54, No. 2 (2013): 196, https://doi.org/10.1501/Ilhfak_0000001396.

³⁸ Neuwirth, *The Qur'an And Late Antiquity: A Shared Heritage*, 150–70.

³⁹ Neuwirth, 200–220.

⁴⁰ Mansur, "People of the Book in the Qur'an: Fazlur Rahman's Model of Interpretation," 59–60.

⁴¹ Mansur, 49.

⁴² *The Qur'an And Late Antiquity, Translated By Samuel Wilder*, 341.

⁴³ Neuwirth, "Orientalism In Oriental Studies? Qur'anic Studies As A Case In Point," 115.

⁴⁴ Abdul Mustaqim Described The Shift In The Paradigm Of Interpretation As A Necessity For The Changing Times. Abdul Mustaqim, *Pergeseran Epistemologi Tafsir*, Ed. Oleh Saifuddin Zuhri Qudsy, 1 Ed. (Yogyakarta: Pustaka Pelajar, 2008), 30.

⁴⁵ Angelika Neuwirth, "Early Meccans Suras: Poetic Prophecy," In *The Qur'an: Text And Commentary, Volume 1* (New Haven And London: Yale University Press, 2022), 2, <https://doi.org/10.2307/J.Ctv2vvsx24>.

⁴⁶ Reynolds, *The Qur'an And The Bible (Text And Commentary)*, 5.

surrounding the Qur'an as an academic object, creating a distinction between the Qur'an as a text and as a revelation.

Regardless of the differences in the aforementioned paradigms, intertextual reading must still be grounded in the concepts of *ulūm al-qur'ān*. This article does not align itself with orientalist who regard the Qur'an as non-revelation, as this perspective undermines crucial aspects of *ulūm al-qur'ān*. Nor does it solely interpret previous scriptures through the lens of original-imitation. Instead, it seeks to integrate Al-Dzahabi's selective paradigm with Neuwirth's communicative paradigm. This approach positions the Qur'an as the ultimate revelation of earlier scriptures, serving the dual functions of affirmation and correction, while also recognizing the Qur'an as a historical document that communicates the realities of the time in which it emerged.

The Mufasirs' Views on Qs. Al-Maidah: 32-33

Qs. Al-Maidah: 32-34 has *munāsabah*⁴⁷ The previous group of verses discusses the killing of Abel by Qabil. The phrase *ajli dhālik* is interpreted as an indication that the story of Abel's murder by Qabil serves as the reason or cause—explicitly mentioned in verse 32—for the establishment of the law regarding killing for the Children of Isra'īl.

Because of this, We decreed upon the Children of Israel that whoever kills a soul, unless in retribution for a soul or for corruption committed in the land, it is as if he has slain all of mankind. And whoever saves a life, it is as if he has saved all of mankind. Our messengers certainly came to them with clear proofs. Yet, many of them, even after that, continued to transgress throughout the land.

Al-Rāzi⁴⁸ does not see any correlation between the two verses, asserting that the stipulation of the law of murder—referred to as *qiṣāṣ* in Al-Razi's terminology—is a universal law applicable to all people, not just the Children of Israel. Al-Razi's argument regarding the connection between the law of murder and the Children of Israel is rooted in their historical background as a people who are often considered to have killed the most prophets. Similar views have also been expressed by Al-Biqā'i⁴⁹ and

⁴⁷ With Regard To *Munāsabah*, Theoretically This Method Occupies The Top Position In The Hierarchy Of Qur'anic Interpretation, Namely *Tafsīr Al-Qur'ān Bi Al-Qur'ān*. However, The Subjectivity Of The Mufasir Becomes The Dominant Factor In Interpreting The Relationship Between The Verses. In Response To This Problem, Affani Reiterates Al-Ṭayyār's Formulation That As Long As There Is No Recorded Interpretation Practice In The Hadith Or *Ātsār*, The Interpretation Of *Munāsabah* By The Mufasir Is Considered As *Ijtihad*. However, Interpretations That Are Limited To The Innertext Will Reduce The Accuracy Of The Meaning. Therefore, In Order To Strengthen The Argument, The Mufasir Adds Historical-Based Analyses. Syukron Affani, "DISKURSUS MUNĀSABAH: Problem Tafsīr Al-Qur'ān Bi 'L-Qur'ān," *Jurnal Theologia* 28, No. 2 (20 Februari 2018): 416, <https://doi.org/10.21580/Teo.2017.28.2.1443>.

⁴⁸ Al-Razi, *Mafatih Al-Ghaib*, 343.

⁴⁹ Ibrahim Bin 'Umar Al-Biqā'i, *Nazm Al-Durar Fi Tanasub Al-Ayat Wa Al-Suwar*, Jilid 2 (Beirut: Dar Al-Kutub Al-Il'miyyah, 1995), 449.

Al-Qurtubi.⁵⁰ Furthermore, the three mufasssirs argued that verse 32 was revealed as a satire directed at the Children of Israel.

In Muhammad Izzat Darwazah's opinion⁵¹, He claimed that the insinuation pertains to the Jews in Medina, noting that verse 32 was revealed chronologically before the expulsion of the Jewish group, Banu Quraizah.⁵² Darwazah discussed the composition of Surah Al-Ma'idah, which primarily addresses aspects of Sharia law and inter-religious issues, particularly concerning Jews and Christians.⁵³ Based on the overall content of the surah and its historical context, it is more accurate to state that verse 32, according to Darwazah's interpretation, alludes to the Jews of Medina and indirectly highlights a pre-existing issue between Muslims and Jews during that period.

Although the general historical context of verse 32 pertains to the Jews of Medina, the hadith reports that prompted the verse's revelation are quite distinct. Al-Tabari⁵⁴ selected numerous narrations and concluded that Surah Al-Maidah, verse 33, was revealed after the incident involving the people of Urainah, who were sentenced to *qisās*. Although many narrations suggest that the verse was revealed prior to the incident, Al-Tabari chose the narration that he believed best reconciled the discrepancy between the punishment imposed on the Urainah and verse 33.

The issue with the narration arises from the punishment of which is not mentioned in the text of verse 33.

*for those who oppose Allah and His Messenger and create chaos on earth is solely death, crucifixion, the amputation of their hands and feet in a crosswise manner, or exile from their homes. They will face humiliation in this world, and their punishment in the Hereafter will be severe.*⁵⁵

In contrast to the content of the hadith reported by Anas ibn Malik, he stated:

*'Some individuals from Urainah visited us during the time of the Messenger of Allah (S), but they were reluctant to settle in Al-Madinah due to the unsuitable climate. He instructed them, to our camels and drink their milk and urine. they later apostatized from Islam, killed the Prophet's shepherd, and stole his camels. The Messenger of Allah sent men after them, and they were apprehended. Subsequently, he ordered that their hands and feet be cut off, their eyes gouged out, and they were left in Harrah until they died.'*⁵⁶

⁵⁰ Muhammad Bin Ahmad Al-Qurtubiy, *Al-Jami' Li Ahkam Al-Qur'an*, Jil. 4 (Kairo: Dar Al-Kutub Al-Misriyyah, 1964), 146.

⁵¹ Muhammad 'Izzah Darwazah, *Al-Tafsir Al-Hadits, Al-Maktabah Al-Syāmilah*, Vol. 3 (Kairo: Dar Ihya Al-Kutub Al-'Arabiyah, 1971), Vol. 9, H. 99.

⁵² Darwazah, Vol. 3, Vol. 9, H. 99–100.

⁵³ Darwazah, 3:7–8.

⁵⁴ Al-Tabari, *Jami' Al-Bayan Fi Ta'wil Al-Qur'an*, 2000, 3:251.

⁵⁵ Qs. Al-Maidah: 33 Lajnah Pentashih Mushaf Al-Qur'an LPMQ, "Qur'an Kemenag," Kementerian Agama RI, 2022, <https://quran.kemenag.go.id>.

⁵⁶ Muhammad Bin Yazid Al-Qazwiniy, *Sunan Ibn Majah* (Beirut: Dar Al-Fikr, N.D.), Vol. 2, H. 861.

Al-Ṭabari⁵⁷ The scholarly debate regarding the status of this verse has been highlighted, specifically whether verse 33 abrogates the punishment imposed by the Prophet or if the verse itself is abrogated. Furthermore, some opinions emphasize the distinction in the functional status of the verse, questioning whether it serves as a rebuke to the Prophet for the eyes or merely functions as a *nasakh* (abrogation). To reconcile this difference, Al-Ṭabari⁵⁸ The narration that states the enforcement of eye gouging has been abrogated by the revelation of verse 33 is favored.

As a result, Al-Tabari argued that Surah Al-Maidah, verse 33, serves as a text that modifies the procedure for implementing *qiṣāṣ* (retributive justice) and *muthlah* (punishment for mutilation). In this context, the eye gouging inflicted on the Urainahs was abrogated by the revelation of this verse.⁵⁹ Al-Tabari's opinion strongly suggests that the imposition of punishment on the Urainahs was based on the verses of *qiṣāṣ*. In other words, Surah Al-Maidah, verse 33, which the *fuqahā'* consider to be a *ḥadd* verse, is connected to the law of *qiṣāṣ* as outlined in other verses.

Based on Al-Khudari's opinion about *qiṣāṣ*⁶⁰ The verses of Al-Baqarah (2:178-179) provide a strong foundation for the punishment of the Urainahs. Regarding the *sabab al-nuzūl* (the circumstances of revelation) of these verses, Ibn al-'Arabi presents two possible contexts: the *qiṣāṣ* tradition of pre-Islamic Arabs and the *qiṣāṣ* rulings found in earlier scriptures⁶¹. The interpretation of the previous scripture is based on two arguments: first, the ruling on *diyat*, or ransom, in Surah Al-Baqarah (2:178-179) abrogates the specialization of *qiṣāṣ* as a punishment in the legislation of Prophet Moses. Secondly, the pre-Islamic Arabian tradition of *qiṣāṣ* cannot be considered abrogated because the pre-Islamic Arabs applied *qiṣāṣ* excessively.

The execution of *qiṣāṣ* for the people of Urainah suggests that verse 32 was revealed to affirm the Prophet's decision and to amend the *al-muthlah* interpretation of *qiṣāṣ*. This interpretation dictates that the perpetrator should be punished in the same manner as they harmed the victim, as stated in Surah Al-Baqarah (2:178). The relationship between Surah Al-Maidah (5:32-33) and Surah Al-Baqarah (2:178) indicates the abrogation of the application of *muthlah*, particularly in the context of this verse, which refers to 'eye gouging.' In this regard, there is a narration that states that:

⁵⁷ Al-Ṭabari, *Jami' Al-Bayan Fi Ta'wil Al-Qur'an*, 2000, Vol. 3, Vol. 10, H. 252–253.

⁵⁸ Al-Ṭabari, Vol. 3, Vol. 10, H. 252–253.

⁵⁹ Al-Ṭabari, *Jami' Al-Bayan Fi Ta'wil Al-Qur'an*, 2000, 8:369.

⁶⁰ Muhammad Al-Khudariy Bik, *Tarikh Al-Tasyri' Al-Islamiy* (Beirut: Dar Al-Kutub Al-Il'miyyah, 2013), 63–64.

⁶¹ Abu Bakr Ibn Al-'Arabi, *Al-Nasikh Wa Al-Mansukh Fii Al-Qur'an Al-Karim*, Ed. Oleh Al-Syeikh Zakariyya 'Umayrat, 5 Ed. (Lebanon: Dar Al-Kotob Al-Ilmiyah, 2014), 37–38.

“The Messenger of Allah, may Allah bless him and grant him peace, used to encourage us to give sadaqah (charitable donations) and prohibited us from engaging in muthlah (the mutilation of corpses).”⁶²

Thus, the interpretation of Qur'an Al-Maidah: 32-33 regarding the concept of *qiṣāṣ* is not merely an abrogation; it also initiates reconciliation through al-*taṣḍuq*. In addition to the interpretative issues mentioned above, Surah al-Maidah, verse 32, has sparked considerable debate among mufasssirin regarding the meaning of the sentence.

kills a person not in retaliation for having killed another or for causing corruption on earth, it is as if he has killed all of humanity. Conversely, whoever saves the life of one human being, it is as if he has saved the lives of all human beings.”⁶³

Al-Ṭabari⁶⁴ The text presents various interpretations of the verse, including: (1) it is viewed as equivalent to killing all human beings if the victim is a prophet or judge; (2) the act of killing one sinner is akin to killing all human beings; (3) the phrase killing all human beings an allusion to the retribution in hell for the murderer; (4) similarly, those who spare or save one life will be regarded as having received the reward for saving all human beings. Then, Al-Ṭabari⁶⁵ The most favorable interpretation is based on the narration from Abu Ja'far, which suggests that the mention of the equation is intended to describe the *qiṣāṣ* punishment imposed on the perpetrator, as well as the punishment of Hell in the Hereafter.

The opinion selected by Al-Ṭabari is quite similar to that of Al-Rāzi⁶⁶ The equation presented in the verse is intended to illustrate the severity of the crime of murder and its consequences. Al-Rāzi also supported his opinion with reference to Qur'an Al-Nisa: 93, as noted by Ibn 'Āshūr⁶⁷ The mention of equality in the verse suggests the horror of murder, the gravity of the sin, and the corresponding punishment for murder, known as *qiṣāṣ*.

Slightly different from Al-Ṭabari and Al-Rāziy, Hijazi⁶⁸ and Al-Sya'rāwī⁶⁹ The statement that the phrase killing the whole of humanity a human life implies that such an act indirectly assaults the entire community to which the victim belongs. Furthermore, Al-Sya'rāwī⁷⁰ The explanation indicates that the

⁶² Muḥammad Syams Al-Ḥaqq Abādī, *'Awn Al-Ma'būd*, Vol. 7 (Dār Al-Fikr, 1995), 264.

⁶³ Qs. Al-Maidah: 32 LPMQ, “Qur'an Kemenag.”

⁶⁴ Al-Ṭabari, *Jami' Al-Bayan Fi Ta'wil Al-Qur'an*, 2000, Vol. 3, Vol. 10, H. 232–240.

⁶⁵ Al-Ṭabari, Vol. 3, Vol. 10, H. 240–241.

⁶⁶ Al-Razi, *Mafatih Al-Ghaib*, Vol. 11, H. 344.

⁶⁷ Āsyūr, *Al-Taḥrīr Wa Al-Tanwīr*, Vol. 30, Vol. 6, H. 178.

⁶⁸ Hijazi, *Al-Waḥdah Al-Mauḍū'iyah Fī Al-Qur'ān Al-Karīm*, Vol. 1, H. 506.

⁶⁹ Muḥammad Mutawalliy Al-Sya'rāwīy, *Tafsir Al-Sya'rāwīy* (Mesir: Matabi' Akhbar Al-Yawm, 1997), 3087.

⁷⁰ Al-Sya'rāwīy, 3088.

similarity cannot be divorced from the potential for the perpetrator to commit murder against others in the future, or it may lead to others imitating his actions.

Rasyīd Riḍā's interpretation⁷¹ is not significantly different from others; however, a distinguishing point in his interpretation is the mention of a profound wisdom that the Children of Israel had forgotten in their religious laws. This oversight occurred because the Torah had been lost, and they relied on what remained in their memory⁷² then performs an intertextual reading, referencing Genesis 4, which recounts the story of Cain and Abel⁷³ He also briefly retells the story and quotes Genesis 9 regarding God's covenant with Noah.⁷⁴ He also references Exodus 21, which discusses the principle of safeguarding the lives of fellow human beings.⁷⁵

All the interpretations provided by the mufasirs above tend to emphasize the superficial aspects, yet they fail to address the significance of the sentence in terms of interpretation or law. Furthermore, there are still few mufasirs who engage with intertextual analysis, particularly regarding the phrase *katabnā ‘alā Banī Isra’īl*, which explicitly references information from the holy scriptures preceding the Qur'an. Rasyīd Riḍā's interpretation, while citing the Bible, does not delve deeper to elucidate the significance of his intertextual reading in relation to the meaning of the verse.

Based on the interpretation above, it can be concluded that the conception of Islamic *qīṣāṣ* law in Qs. Al-Maidah: 32-33, in relation to the pre-Islamic *qīṣāṣ*, is not merely an abrogation; it also initiates a reconciliation through *al-ṭaṣadduq*. Furthermore, Qs. Al-Maidah: 32-33 serves as an allusion to the Jews of Medina and indirectly highlights a pre-existing conflict between Muslims and Jews at that time. The interpretations of Islamic scholars regarding the phrase whoever kills a person... is as if he has killed all human beings do not reflect a consensus, nor do they reference a singular meaning. Additionally, the verse does not provide a detailed elaboration of the law of *qīṣāṣ*, which suggests that the interpretation of the verse lacks significance in relation to the concept of *qīṣāṣ* law.

The Orientalists' View on Qs. Al-Maidah: 32-33

Regarding the *munāṣabah* of verse 32 in relation to the surrounding verses, Cuypers employed Semitic Rhetoric Analysis (SRA) to examine the cohesiveness of Qs. Al-Maidah: 32. He positioned this

⁷¹ Ridla, *Tafsir Al-Qur'an Al-Hakim: Tafsir Al-Mannar*, 6:289.

⁷² Ridla, 6:289–90.

⁷³ Kisah Ini Termuat Dalam Pasal 4 Dari Ayat 1-16, Lihat Selengkapnya. Lembaga Alkitab Indonesia LAI, *Alkitab Deuterokanonika* (Lembaga Alkitab Indonesia, 2019), 3–4, <https://www.bible.com/id/Bible/306/>.

⁷⁴ The story that Rida quoted is found in verses 1-7, read more. LAI, 8.

⁷⁵ This Chapter Explains the Law of Qisas, Starting from Verse 12, See More. LAI, 76.

verse as a pivotal point that connects the two discussions—specifically, verses 27-31 and 32-40—that accompany it.

In greater detail, Cuypers categorized verses 27-40 of Surah Al-Maidah as a fragment centered on the theme of for the Disobedient Children of Israel.⁷⁶ Cuypers bolstered his argument by citing Al-Tabari⁷⁷, This verse is set after the Hijrah, during a time when the Jews conspired to commit treason against the Prophet and his companions.⁷⁸

Cuypers⁷⁹ Then, he compared the verse in parallel with sacred texts from the Biblical tradition. His findings, in which he concludes that this is not a coincidence, indicate that Qs. al-Maidah: 32 is derived from the Mishnah Sanhedrin:

For we have found it to be true with Cain, who killed his brother, as it is written: of your brother cries out⁸⁰ It does not say, blood of thy brother, but rather, bloods of thy brother blood and the blood of his posterity.⁸¹

Cuypers⁸² I observed a fundamental similarity in the use of the term Qur'an and the Mishnah present the issue of killing or defending life as a universal concern that affects every human being, regardless of whether they are a child of Israel or not.

As Cuypers has explained, verse 32 serves as the cohesive center of the surrounding verses. He elaborates that verses 27-31 recount Qabil's crimes, verse 32 explicitly prohibits killing, and verses 32-40 outline actions classified as crimes along with their corresponding punishments.⁸³ Verse 32 is central to a broader topic that encompasses the entire passage.

In addition to Cuypers, Witztum and Reynolds approach the text in a manner similar to Cuypers, who quoted the Mishnah in Sanhedrin. Witztum identifies an alignment between the Qur'an and the Mishnah, beginning with the Mishnah's reference to Genesis 4:12, which recounts the wickedness of Cain (Qabil). He interprets the phrase of your brother to signify not only the blood of Cain's brother but also that of his descendants. Following this, the Mishnah elaborates on the explanation by stating.

⁷⁶ Cuypers, *Fi Nazm Surah Al-Maidah*, Terj 'Amr 'Abd Al-'Ati Salih, 187.

⁷⁷ Al-Ṭabari, *Jami' Al-Bayan Fi Ta'wil Al-Qur'an*, Vol. 6, H. 186.

⁷⁸ Cuypers, *Fi Nazm Surah Al-Maidah*, Terj 'Amr 'Abd Al-'Ati Salih, 199.

⁷⁹ Cuypers, 200.

⁸⁰ Genesis 4:12 The Jewish Publication Society Of America, *The Torah: The Five Books Of Moses*, 3 Ed. (Illinois, USA: Varda Books, 2001), 11.

⁸¹ Hebrēt Danby, *The Mishnah*, Terj Hebrēt Danby, 1 Ed. (New York: Oxford University Press, 1933), 388.

⁸² Cuypers, *Fi Nazm Surah Al-Maidah*, Terj 'Amr 'Abd Al-'Ati Salih, 201.

⁸³ Cuypers, *Fi Nazm Surah Al-Maidah*, Terj 'Amr 'Abd Al-'Ati Salih, 187.

Therefore [לפיכך] A single man was created in the world to teach that whoever destroys a single soul is regarded as though he has destroyed an entire world, and whoever saves a single soul is regarded as though he has saved an entire world. This lesson serves to promote peace among humanity, ensuring that no one can claim superiority over another by saying, father was greater than yours ⁸⁴.

Unlike Cuypers, Witztum⁸⁵ The author observes a significant difference between the Qur'an and the Mishnah in their discussions of the concept of 'soul/life.' He argues that the Qur'an employs this term in an anti-Jewish polemical context, particularly in the story of Qabil and Habil, where it serves merely as a prologue to highlight the failure of the Jews to adhere to their teachings. In contrast, the Mishnah utilizes this rhetorical expression to promote a heightened awareness and caution regarding matters of life and death.

The author does not perceive the difference between Cuypers and Witztum as contradictory. This is because Cuypers views the similarity between the Qur'an and the Mishnah from an idealistic perspective, while Witztum approaches it from a materialistic standpoint. According to Cuypers, the essence of Qur'an Surah Al-Maidah: 27-40 and Mishnah Sanhedrin 4:1 revolves around the concept of respecting life. In contrast, Witztum focuses more on the material aspects—specifically the verses following Qur'an Surah Al-Maidah: 32, particularly the reference to the Jews as the rhetorical object.

The first issue concerning the status of Qur'an Al-Maidah: 32-33, particularly in relation to the discourse of *qiṣāṣ* and the previous *qiṣāṣ* law, is not a primary focus for orientalists. They merely note that the verse serves as an allusion, functioning as an expression of anti-Jewish polemic. Regarding the second issue, which pertains to the meaning and significance of murder in verse 32, orientalists employ an intertextual approach to uncover the meaning of this phrase. However, they fail to recognize the significance of this meaning within the conceptual framework of *qiṣāṣ*. This indicates that the intertextual efforts of orientalists are limited to drawing parallels between texts and extracting meanings, without adequately addressing the implications of these meanings in constructing the conceptual framework of *qiṣāṣ*.

⁸⁴ Danby, *The Mishnah, Terj Hebrer Danby*, 388.

⁸⁵ Joseph Benzion Witztum, "The Syriac Milieu Of The Quran: The Recasting Of Biblical Narratives," 123.

Intertextual Reinterpretation of The Concept of *Qishās* in Qs. Al-Maidah: 32-33

The conclusion of both interpretations displayed in the form of following table:

| Qs.5:32-33 | | Mufasir | Orientalits |
|-----------------------|--------------|---|---|
| Position and Relation | | 1. Allusions to failure of Medina Jews | 1. Anti-Jewis Polemical Function |
| | | 2. Abrogate Muthlah(eye coughing) | |
| | | 3. Initiate al-tasadduq (reconciliation and ransom) | |
| Equality Of Murderer | Meaning | 1. Describing qisas Punishment | 1. The idea of respecting life |
| | | 2. The punishment of hell in the hereafter for perpetrator | |
| | | 3. magnitude of the crime of killing and its consequences | |
| | | 4. The horror of murder and the severity of the sin | 2. The killing of one person eliminates onel life and the potential life (offspring) that would be born after him |
| | | 5. Killing one person indirectly attacked Whole community | |
| | | 6. Sublime wisdom that the children of istrael had forggotten in their religious laws | |
| | Significancy | - | - |

With regard to *sabab al-nuzūl* verse 32 and its urgency in interpretation. The word ‘urgency’ is used to assess the extent to which *sabab al-nuzūl* plays a role in the interpretation of the verse. In relation to *qishās*, as confirmed by Ibn Al-'Arabi, the law existed prior to the advent of Islam, either stemming from Jahiliyyah traditions or the Shari'ah of previous prophets. Through the lens of nasikh-mansukh, Ibn Al-'Arabi selected the Prophet's earlier Shari'ah as the context for the *qishās* verses found in Surah Al-Baqarah, verses 178-179.

The execution of *qishās* for the people of Urainah suggests that verse 32 was revealed to affirm the Prophet's decision and to amend the al-muthlah interpretation of *qishās*, which prescribes punishing the perpetrator in the same manner as the victim was treated. This is supported by the testimonies of the Companions following the incident, indicating that the Prophet prohibited retribution (al-muthlah) and encouraged reconciliation (al-tasdduq). According to some commentators, this distinction illustrates

how Islamic *qiṣāṣ* law differs from the *qiṣāṣ* practices of previous nations. The data presented in Mishnah Sanhedrin 4:1 states:

Know, moreover, that capital cases differ significantly from non-capital cases: in non-capital cases, a person may pay a monetary sum to make amends, whereas in capital cases, the witness is held accountable for the blood of the individual who is wrongfully condemned⁸⁶.

Based on the text above, the concept of ransom, or diyat, predates Islam, although its application differs in context. In the Mishnah, a witness who misrepresented information in a minor case to the detriment of another person could make amends by paying a fine. While the concept of ransom following reconciliation did not exist in earlier laws, it cannot be conclusively stated that the law of diyat was absent from earlier teachings.

Regarding *qiṣāṣ*, the Book of Leviticus in the Torah has already stated:

If anyone kills a human being, he shall be put to death. One who kills an animal shall make restitution for it: life for life. If anyone maims another person, the same shall be done to him: fracture for fracture, eye for eye, tooth for tooth. The injury inflicted on another shall be inflicted on him. One who kills an animal shall make restitution for it; however, one who kills a human being shall be put to death..⁸⁷

Reynolds parallels⁸⁸ Qs. al-Maidah: 45 with Leviticus 24:17-21 above. Qs. Al-Maidah: 45 reads:

'We have ordained for the Children of Israel in the Torah that life shall be for life, eye for eye, nose for nose, ear for ear, tooth for tooth, and wounds shall also have their expiation. Whoever waives this will incur a penance.'⁸⁹ In the sentence, waives the right of retribution becomes an atonement for his sin.

In this case, Reynolds' juxtaposition is not entirely accurate, as there is no mention of post-reconciliation indemnity in the Torah. Verse 45 is closely related to verse 44, which indirectly references the Biblical tradition preserved by Jewish rabbis, as discussed previously. Therefore, it can be concluded that the law of ransom articulated in the Mishnah is implicitly alluded to in the Qur'an.

The revelation that underpins the *qiṣāṣ* against the people of Urainah has not garnered significant attention from orientalist. Consequently, the author emphasizes the interpretations of Islamic scholars. Surah Al-Maidah (5:33) is more accurately correlated with Surah Al-Baqarah (2:178-179) as it serves to comment on the tradition and abrogates the *qiṣāṣ* ruling found in the earlier text. This connection is further supported by the revelation of Surah Al-Isra' (17:33) prior to the *qiṣāṣ* ruling in Surah Al-Baqarah (2:178), as noted by Ibn 'Ashur.⁹⁰ The context of the Jahiliyya Arab tradition of *qiṣāṣ* has been mentioned as the backdrop for the revelation of this verse. Furthermore, it is stated that Qs. Al-Isra' 33 signifies the formal enactment of *qiṣāṣ* in Islam.⁹¹ Ibn Al-'Arabi's disagreement with establishing the Jahiliyyah tradition as a *mansūkh* law does not necessarily negate its role as a macro *sabab al-nuzūl*.

⁸⁶ Danby, *The Mishnah*, Terj Hebrēt Danby, 387–88.

⁸⁷ Leviticus [24]: 17-21 America, *The Torah: The Five Books Of Moses*, 362.

⁸⁸ Reynolds, *The Qur'an And The Bible (Text And Commentary)*, 221.

⁸⁹ LPMQ, "Qur'an Kemenag" <https://quran.kemenag.go.id/Quran/Per-Ayat/Surah/5?From=45&To=45>.

⁹⁰ Āsyūr, *Al-Tahrīr Wa Al-Tanwīr*, Vol. Jild 30, Vol. 15, H. 93.

⁹¹ Āsyūr, Vol. Jild 30, Vol. 15, H. 92.

The fundamental difference between the interpretations of Islamic scholars and Orientalists regarding this verse lies in the underlying paradigms of their intertextual readings. Islamic scholars view *qiṣāṣ* in Islam as a continuation of earlier religious teachings and as a reprimand for the negligence of the ahl al-kitāb in preserving the original meanings and implementations of their holy texts. In contrast, Orientalists tend to emphasize the contestation of religiosity in Medina as a social construct that necessitated the emergence of certain verses in the Qur'an.

Consequently, Orientalist interpretations on this topic often remain confined to classical intertextual discourse. Although there have been efforts to shift the paradigm from imitation to urgency, the fundamental assumption that the Qur'an is not part of the prophetic message relay limits the interpretive tools available, particularly in the context of the 'ulūm al-Qur'ān.

The issue of interpretation regarding the meaning of of murder in Surah Al-Maidah: 32 can be reformulated. The killing of one individual (Habil) not only extinguishes the life of that person but also eliminates the potential lives (offspring) that could have been born thereafter. Therefore, when the victim is someone who has dependents to support, their death poses an economic threat to the family members left behind. Consequently, both the Qur'an and the Mishnah articulate this concept in a similar manner.

Qs. Al-Maidah: 32

Because of this, we decreed to the Children of Israel that whoever kills a soul, unless in retribution for a soul or for corruption committed in the land, it is as if he has slain all of humanity. And whoever saves a life, it is as if he has saved all of humanity.

Mishnah Sinhedrin

Therefore [לִפְנֵיכָּךְ] However, a single man was created in the world to teach that whoever destroys a single soul is considered as though he has destroyed an entire world, and whoever saves a single soul is regarded as though he has saved an entire world.⁹²

As for the similarities between the two in using the phrase of killing, it is fundamentally connected to the story of Cain and Abel in the preceding verse. This connection arises because Cain and Abel were the first group of humans who were meant to give rise to many others. When Abel was killed, the potential for all the humans who would have been born was effectively nullified.

Thus, the concept of compensation or ransom in the Mishnah is fundamentally connected to the hadith of the Prophet Muhammad, which states that al-taṣadduq is prioritized over the implementation of mustlah or *qiṣāṣ*. This indicates that the principle outlined in verse 32, which pertains to the equality of killing, serves as a foundation for enforcing diyat.

Conclusion

The application of 'ulūm al-Qur'ān in intertextual reading is significant for understanding meaning, as evidenced by Qur'an Surah Al-Maidah (5:32-33), which serves a dual function. The

⁹² Hebrat Danby, *The Mishnah*, Terj Hebrat Danby, 1 Ed. (New York: Oxford University Press, 1933), 388.

Qur'ān's relationship with the Biblical tradition occupies two positions: 1) It affirms *qiṣāṣ* as a law that already exists in Abrahamic religious sources, specifically in Leviticus 24:17-21 and the Mishnah Sanhedrin. This assertion highlights the Qur'ān's intertextual connection with the broader Biblical tradition. 2) The Qur'ān also corrects the earlier interpretations of *qiṣāṣ* in the context of a critique against the ahl al-Kitāb (People of the Book) in Medina and serves as a rebuke of the behaviors characteristic of the Jahiliyya Arabs.

This article presents a different perspective on intertextual discourse, suggesting that the Qur'an's position regarding the Biblical tradition is fundamentally to continue the legacy of the divine and apostolic message. Consequently, interpreting the holy verses of the Qur'an necessitates a diachronic perspective, wherein the religious teachings of the holy books are seen as a continuum, with the Qur'an serving as the ultimate text that affirms and corrects these teachings. In relation to the discourse of *qiṣāṣ*, this article demonstrates that an intertextual reading of Biblical sources can provide a comprehensive understanding that supports the implementation of Islamic law, as the law in Islam aims to carry forward the teachings of previous religions. Furthermore, the consistent application of the concepts of 'ulūm al-Qur'ān and intertextuality in this article paves the way for a new discourse on the emerging paradigm of intertextual interpretation.

References Journals & Books

- Abādī, Muḥammad Syams Al-Ḥaqq. *ʿAwn Al-Maʿbūd*. Vol. 7. Dār Al-Fikr, 1995.
- Affani, Syukron. "Diskursus Munāsabah: Problem Tafsīr Al-Qurʾān Bi 'L-Qurʾān." *Jurnal Theologia* 28, No. 2 (20 Februari 2018): 391–418. <https://doi.org/10.21580/Teo.2017.28.2.1443>.
- Aini, Adrika Fitrotul, Dan Asep Nahrul Musadad. "Late Antiquity Context and Microstructure Analysis as a Counter to Skepticism of the Originality of the Qur'anic Text: Reflections on the Thought of Angelika Neuwirth." *Suhuf* 10, No. 1 (8 September 2017): 173–92. <https://doi.org/10.22548/Shf.V10i1.249>.
- Al-'Arabi, Abu Bakr Ibn. *Al-Nasikh Wa Al-Mansukh Fii Al-Qur'an Al-Karim*. Editing Al-Syeikh Zakariyya 'Umayrat. 5 Ed. Lebanon: Dar Al-Kotob Al-Ilmiyah, 2014.
- Al-Baghawi, Abu Muhammad Al-Husain Bin Mas'ud. "Ma'alim Al-Tanzil Fii Tafsir Al-Qur'an." In 5, 91. Beirut: Dar Ihya' Al-Turas Al-'Araby, 2000.
- Al-Bayḍāwī, Nāṣir Al-Dīn 'Abdullāh. *Anwār Al-Tanzīl Wa Asrār Al-Ta'wīl*. Vol. 1. Beirut: Dār Ṣādir, 2001.
- Al-Biqā'i, Ibrahim Bin 'Umar. *Nazm Al-Durar Fi Tanasub Al-Ayat Wa Al-Suwar, Jilid 2*. Beirut: Dar Al-Kutub Al-Ilmiyyah, 1995.
- Al-Jurjani, Ali Bin Muhammad. *Kitāb Al-Ta'rīfāt*. 1 Ed. Lebanon: Dār Al-Kutub Al-'Ilmiyyah, 1983.
- Al-Qazwiniy, Muhammad Bin Yazid. *Sunan Ibn Majah*. Beirut: Dar Al-Fikr, N.D.

- Al-Qurtubiy, Muhammad Bin Ahmad. *Al-Jami' Li Ahkam Al-Qur'an*, Jil. 4. Kairo: Dar Al-Kutub Al-Misriyyah, 1964.
- Al-Razi, Fakhruddin. *Mafatih Al-Ghaib*. Cet. Iii. Beirut: Dar Ihya' Al-Turas Al-'Araby, 2000.
- Al-Shabuni, Muhammad 'Ali. "Rawai' Al-Bayan Fii Tafsir Al-Ayat Al-Ahkam," 2:590. Beirut: Al-Maktabah Al-'Ishriyyah, 2017.
- Al-Suyūṭiy, Jalāluddīn. *Al-Itqān Fi 'Ulum Al-Qur'ān*. 7 Ed. Lebanon: Dar Al-Kotob Al-Ilmiyyah, 2019.
- . *Lubāb Al-Nuqūl Fī Al-Asbāb Al-Nuzūl*. Lebanon: Dar Al-Kotob Al-Ilmiyyah, 2019.
- Al-Sya'rawiy, Muhammad Mutawalliy. *Tafsir Al-Sya'rawiy*. Mesir: Matabi' Akhbar Al-Yawm, 1997.
- Al-Ṭabari, Muhammad Bin Jarir. *Jami' Al-Bayan Fi Ta'wil Al-Qur'an*. Vol. 8. Beirut: Mu'assasah Al-Risalah, 2000.
- . *Jami' Al-Bayan Fi Ta'wil Al-Qur'an*. Vol. 3. Beirut: Mu'assasah Al-Risalah, 2000.
- . *Jami' Al-Bayan Fi Ta'wil Al-Qur'an*. Vol. 14. Beirut: Mu'assasah Al-Risalah, 2000.
- . *Jami' Al-Bayan Fi Ta'wil Al-Qur'an*. Vol. 6. Beirut: Mu'assasah Al-Risalah, 2000.
- Al-Ḍahabi, Muḥammad Husayn. *Al-Tafsīr Wa Al-Mufasssīrūn*. 1 Ed. Vol. 1. Kairo: Maktabah Wahbah, 2014.
- Angelika, Neuwirth. "Locating The Qur'an In The Epistemic Space Of Late Antiquity." *Ankara Üniversitesi İlahiyat Fakültesi Dergisi* 54, No. 2 (2013): 189–203.
https://doi.org/10.1501/Ilhfak_00000001396.
- Asnawi, Aqdi Rofiq, Husein Aziz, Dan Achmad Murtafi Haris. "Investigating Cohesiveness Of Qs. Al-Mā'idah: A Review On Michel Cuypers Implementation Of Semitic Rhetorical Analysis (Sra)." *Journal of Studies in Qur'anic and Hadith Sciences* 23, No. 1 (2022).
<https://doi.org/10.14421/Qh.2022.2301-03>.
- Āsyūr, Muḥammad Al-Ṭāhir. *Al-Taḥrīr Wa Al-Tanwīr. Al-Maktabah Al-Syāmilah*. Vol. 30. Tunisia: Ad-Dar At-Tunisiah Li An-Nasyr, 1984.
- Bik, Muhammad Al-Khudariy. *Tarikh Al-Tasyri' Al-Islamiy*. Beirut: Dar Al-Kutub Al-Il'miyyah, 2013.
- Cuypers, Michel. *Fi Nazm Surah Al-Maidah, Terj 'Amr 'Abd Al-'Ati Salih*. Kairo: Dar Al-Masyriq, 2014.
- Danby, Hebret. *The Mishnah, Terj Hebret Danby*. 1 Ed. New York: Oxford University Press, 1933.
- Darwazah, M. Izzat. *Al-Tafsir Al-Hadits. Al-Maktabah Al-Syāmilah*. Vol. 9. Kairo: Dar Ihya Al-Kutub Al-'Arabiyah, 1971.
- Darwazah, Muhammad 'Izzah. *Al-Tafsir Al-Hadits. Al-Maktabah Al-Syāmilah*. Vol. 3. Kairo: Dar Ihya Al-Kutub Al-'Arabiyah, 1971.
- Geiger, Abraham. *Judaism And Islam, Translated By Member Of The Ladies League*. New York: Madras, 1898.
- Hijazi, Muhammad Mahmud. *Al-Waḥdah Al-Mauḍū'iyah Fī Al-Qur'ān Al-Karīm*. Mesir: Dār Al-Kutub Al-Hadīshah, 1970.
- Joseph Benzion Witztum. "The Syriac Milieu Of The Quran : The Recasting Of Biblical Narratives." Princeton University, 2011.
- Lai, Lembaga Alkitab Indonesia. *Alkitab Deuterokanonika*. Lembaga Alkitab Indonesia, 2019.
<https://www.bible.com/id/bible/306/>.
- Lpmq, Lajnah Pentashih Mushaf Al-Qur'an. "Qur'an Kemenag." Kementerian Agama Ri, 2022.
<https://quran.kemenag.go.id>.

- Mansur, Ali. "People of the Book in the Qur'an: Fazlur Rahman's Model of Interpretation." In *Contemporary Qur'anic Studies: New Discourses on Various Interpretive Methodologies*, Editing Abdul Mustaqim Dan Sahiron Syamsudin, 1 Ed. Yogyakarta: Pt. Tiara Wacana Yogya, 2002.
- Miles, Matthew B., A. Michael Huberman, Dan Johnny Sardana. *Qualitative Data Analysis: A Methods Sourcebook*. 3 Ed. Washington: Sage Publication, 2014.
- Mustaqim, Abdul. *Shifting Tafsir Epistemology*. Editing Oleh Saifuddin Zuhri Qudsy. 1 Ed. Yogyakarta: Pustaka Pelajar, 2008.
- Neusner, Jacob. *The Way Of Torah An Introduction To Judaism*. 6 Ed. New York: Wadsworth Publishing Company, 1997.
- Neuwirth, Angelika. "Early Meccans Suras: Poetic Prophecy." In *The Qur'an: Text And Commentary, Volume 1*. New Haven And London: Yale University Press, 2022.
<https://doi.org/10.2307/J.Ct2vvsx24>.
- . "Orientalism In Oriental Studies? Qur'anic Studies As A Case In Point." *Journal Of Qur'anic Studies* 9, No. 2 (Oktober 2007): 115–27. <https://doi.org/10.3366/E1465359108000119>.
- . *Scripture, Poetry, And The Making Of A Community: Reading The Qur'an As A Literary Text*. Oxford: Oxford University Press, 2014.
- . *The Qur'an And Late Antiquity, Translated By Samuel Wilder*. New York: Oxford University Press, 2019. <https://doi.org/10.1093/oso/9780199928958.001.0001>.
- . *The Qur'an And Late Antiquity: A Shared Heritage*. Oxford University Press, 2019.
<https://doi.org/10.1093/oso/9780199928958.001.0001>.
- Putrawan, Bobby Kurnia, Dan Edward Everson Hanock. "Abraham's Legacy: Togetherness Of Christian And Islamic Faith." *Jurnal Theologia* 33, No. 1 (16 Juni 2022): 19–34.
<https://doi.org/10.21580/Teo.2022.33.1.10575>.
- Reynolds, Gabriel Said. "On The Qur'anic Accusation Of Scriptural Falsification (Tahrif) And Christian Anti-Jewish Polemic." *Journal Of The American Oriental Society* 130, No. 2 (11 Juni 2010): 189–202. [Http://Www.Jstor.Org/Stable/23044514](http://Www.Jstor.Org/Stable/23044514).
- . *The Qur'an And The Bible (Text And Commentary)*. New Haven: Yale University Press, 2018. <https://doi.org/https://doi.org/10.12730/13091719.2019.101>.
- . *The Qur'an In Its Historical Context*. Editing Oleh Gabriel Reynolds. 1 Ed. London: Routledge, 2007. <https://doi.org/10.4324/9780203939604>.
- Ridla, Muhammad Rasyid Bin 'Ali. *Tafsir Al-Qur'an Al-Hakim: Tafsir Al-Mannar*. Vol. 6. Mesir: Al-Hay'ah Al-Misriyyah Al-'Ammah Li Al-Kitāb, 1990.
- Saeed, Abdullah. *The Quran: An Introduction*. London & New York: Routledge, 2008.
- "Surah Yunus: Arabic, Latin and Full Translation | Quran Nu Online." Diakses 3 Februari 2025.
<https://quran.nu.or.id/yunus#94>.
- Ulmuddin. "Mapping Orientalist Research on Hadith According to Harald Motzi." *Al-Bukhari: Journal of Hadith Science* 3, No. 1 (11 Juni 2020): 86–104. <https://doi.org/10.32505/Al-bukhari.V3i1.1468>.
- Zuhri, Saifuddin. "Understanding Orientalists in Examining the Quran and Hadith: The Difference Between Understanding and Believing According to Alasdair Macintyre." *Journal of Studies in Qur'anic and Hadith Sciences* 18, No. 1 (28 Mei 2018): 105.
<https://doi.org/10.14421/Qh.2017.1801-06>.