



Reinterpretation of the *Halal* Status of Animals Slaughtered by Non-Muslims: Interpretation of QS. Al-An'am Verse 121 with a Contextual Approach Abdullah Saeed

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Abstract

This study aims to reinterpret the *halal* status of animals slaughtered by non-Muslim through an analysis of Qur'anic *Surah Al-An'am*: 121 using Abdullah Saeed's contextual exegesis approach. This study is motivated by the dominance of classical *fiqh* views that require the slaughterer to be Muslim as a determinant of *halal* status, even though this is not explicitly stated in the Qur'an. The method used is qualitative research based on a literature review with a contextual approach that includes text analysis, historical context, and relevance to contemporary conditions. The research findings indicate that the prohibition in *Surah Al-An'am*: 121 is contextually related to the practice of consuming carrion and slaughtering dedicated to other than Allah, not solely to the religious identity of the slaughterer. The practices of the Prophet and his companions also demonstrate flexibility regarding the consumption of meat slaughtered by non-Muslims. In a modern context, the primary factor determining impermissibility is more relevant to the act of invoking a name other than Allah, rather than the religious status of the slaughterer. Thus, this study concludes that non-Muslim slaughter can be deemed permissible as long as there is no element of offering to other than Allah. This study contributes to the development of a more contextual and responsive contemporary *fiqh* that addresses the dynamics of modern society.

Keywords: Abdullah Saeed; contextual interpretation; *halal* slaughter; non-Muslim.

Introduction

Slaughtered animals receive special attention in Islam. In Indonesia, the law on *halal* food is regulated by Law No. 33 of 2014 on *Halal* Product Guarantee and Government Regulation No. 39 of 2021 on the Implementation of the Law. According to these regulations, food products, beverages, slaughtered products, and slaughtering services

must be certified *halal* by the *Halal* Product Guarantee Agency (BPJPH) in collaboration with the Indonesian Ulema Council (Kemenag.go.id, 2021).

One of the *halal* requirements for slaughter is related to the slaughterer. The requirements for slaughterers include being Muslim, an adult, and physically and mentally healthy. The equipment used must be sharp, capable of causing injury until blood flows, and not made of nails or bones. When slaughtering, the slaughterer must recite the *tasmiyya* phrase "in the name of Allah" (Riyadi, 2023). With the requirement that the slaughterer must be Muslim, the theological status of the slaughterer plays a major role in the *halal* status of the slaughtered animals.

The application of this law cannot be separated from the influence of legal schools. In the Hanafi school, for example, animals must be slaughtered while mentioning the name of Allah (*tasmiyya*), whether intentionally or unintentionally. If the name of Allah is not mentioned, the slaughter is *haram*, unless it is done out of forgetfulness or necessity (Riyadi, 2023). This opinion is similar to that of the Maliki school of thought (Borotan, 2021) and also the Hanbali school of thought (Barkam, 2014). Meanwhile, the Shafi'i school of thought, which is followed by the majority of Indonesian Muslims, argues that animals must be slaughtered by mentioning the name of Allah, but not as a condition for the slaughter to be valid, but rather as a *muakkadah sunnah*. If the name of Allah is not mentioned, the slaughter is *makruh*, but not *haram* (Apriyanto, 2010). Based on this school of thought, the requirement to recite the name of Allah and the religious status of the slaughterer become very important.

Although the imam of the school of thought considers the Muslim status of the slaughterer to be very important, this is not explicitly stated in the Qur'an. This means that this opinion is an interpretation (*fiqh*) and not sharia (Qur'an). Meanwhile, *fiqh* law should follow the explanation of the Qur'an, not the explanation of the Qur'an following the school of thought (Hatta, 2023). Therefore, this study attempts to explore the implementation of the law of *halal* slaughter based on the Qur'an. The approach used is the method developed by Abdullah Saeed, namely the contextual approach. This approach is appropriate for application in the field of law, so that it can find applicable laws that are highly relevant to the current context. Based on the background above, this study seeks to answer three main questions: (1) how Abdullah Saeed's contextual approach interprets QS. Al-An'am verse 121 regarding non-Muslim

slaughter; (2) what historical context underlies the revelation and interpretation of the verse; and (3) how the interpretation can be contextualized within contemporary *halal* discourse.

Research Methods

This study is a qualitative study in the form of library research, focusing on the analysis of the Qur'anic text and Islamic literature regarding the *halal* status of slaughtered animals. Data were obtained from written materials relevant to the research problem, including exegetical works, hadith, as well as *fiqh* literature and contemporary studies. This study relies on the examination of documents or texts, as emphasized by the fact that library research relies on written sources as the primary basis for analysis (Zed, 2004). Additionally, this study emphasizes the systemic search and review of relevant literature to strengthen the analytical framework (Moleong, 2004).

The data sources in this study are divided into two categories: primary data and secondary data. Primary data includes the Qur'anic verses that are the focus of the study, specifically Surah Al-An'am: 121 and Surah Al-Baqarah: 173, as well as hadiths related to the practice of slaughter. Secondary data consist of classical and contemporary exegetical works, *fiqh* literature, and scholarly works discussing the contextualist approach to exegesis, particularly the thought of Abdullah Saeed, as well as journals and other relevant supporting sources pertaining to the research topic.

The approach used in this study is the contextualist approach by Abdullah Saeed (Saeed, 2006). This approach emphasizes the importance of understanding the Qur'anic text not only from a linguistic perspective but also by considering the historical-sociological context at the time of the revelation of the verse and its relevance to the contemporary context (Saeed, 2006). The application of this approach is carried out through four stages, namely: (1) identification of relevant verses; (2) textual analysis from linguistic, literary, and inter-versical perspectives; (3) examination of the historical context of the first recipients, including the social conditions and practices of the Companions (Saeed, 2006); and (4) contextualization of the verse's meaning within modern reality .

The data collection technique in this study employs the documentary method, which involves collecting, reading, and examining various written documents relevant to the research object (Arikunto, 1998). Subsequently, the data were analyzed using a descriptive-

analytical method by describing the various views of scholars and exegetes, then the analyzed critically and comparatively to produce a more contextual and practical understanding of the issue of the *halal* status of animals slaughtered by non-Muslims.

Theoretical Framework

This study employs Abdullah Saeed's contextualist approach as the main theoretical framework. According to Saeed, understanding the Qur'an should not be limited to textual and linguistic analysis alone, but must also consider the socio-historical context of revelation and the relevance of the text to contemporary realities (Saeed, 2016).

This approach aims to bridge the gap between classical interpretations and modern societal challenges. Abdullah Saeed proposes four stages of interpretation: (1) identification of relevant Qur'anic verses; (2) textual analysis including linguistic, literary, and intertextual examination; (3) analysis of the socio-historical context of the first recipients of the Qur'an; and (4) contextualization of the Qur'anic message within contemporary circumstances. Through these stages, Qur'anic interpretation becomes more adaptive, contextual, and responsive to modern issues (Saeed, 2016).

Abdullah Saeed's Contextual Interpretation Approach

Abdullah Saeed is a scholar with a strong background in Arabic language and literature as well as Middle Eastern studies. He was born in the Maldives in 1964 to an influential Dhiyamigili family. He studied in India, the Maldives, Egypt, Saudi Arabia, and Australia, which enabled him to see the world from various perspectives. He is also proficient in various fields of knowledge, such as the Qur'an, hadith, tafsir, *fiqh*, logic, theology, rhetoric, history, and literature. He is married to Rasheeda and has a son named Ishaam (Ummah, 2018).

Saeed is a professor and director of Arab and Islamic Studies at the University of Melbourne (Fanani, 2019). He researches issues of Islamic thought, particularly contemporary tafsir (Putra, 2017). He also supports Islamic reform and is often invited to various national and international events. He teaches about Islamic issues to various parties and is involved in interfaith dialogue to increase understanding of Islam and Muslim communities (Ummah, 2018).

Saeed is a professor, author, and editor who has contributed to many works on Islam and contemporary Islamic thought. He has published several books on interpretation, human rights, politics, and

Islamic history. He also teaches and mentors Islamic studies students at the University of Melbourne. He is passionate about making Islam relevant to the times and places, without being bound by classical texts (Ummah, 2018).

In his book *Interpreting the Qur'an: Towards a Contemporary Approach*, Abdullah Saeed proposes a new approach tailored to the context and needs of Muslim communities in the 21st century. This approach is called the contextualist approach, which takes into account the socio-historical background of the Qur'an and the developments of the times. Saeed argues that this approach can bridge the gap between the literal understanding of the Qur'an that originated in the early days of Islam and the challenges faced by Muslims in the modern era (Saeed, 2008). Saeed also highlights various issues related to globalization, migration, science, technology, human rights, gender equality, genetic engineering, and others, which require a reinterpretation of the Qur'an based on scientific methodologies and approaches (Zaini, 2011).

Saeed criticizes the condition of Muslims who consider the results of previous scholars' studies to be final and not in need of revision (Ridwan, 2016). Saeed believes that this prevents Muslims from responding to new issues that arise in the modern era by referring to the Qur'an as the main source. Saeed highlights that earlier scholars have lost their vitality and creativity in developing Islamic sciences, especially fiqh, which are not in line with the current social, cultural, and value contexts (Fina, 2011). Saeed calls for the need to rediscover the meaning of the Qur'an with a scientific and contextual approach (Saeed, 2006).

The goal of Saeed's approach is to implement the law in a way that is most appropriate to the current context (Arda et al., 2026). To achieve this, he offers four stages of interpretation. In the first stage, it is necessary to find verses from the Qur'an that are relevant to the issue. The second stage in Abdullah Saeed's interpretation is the text analysis stage. At this stage, researchers focus on what the text says about itself without relating it to the first recipient community or the present day, through the exploration of several aspects of the text as follows.

1. Linguistics: this relates to the language of the text, the meaning of words and phrases, the syntax of verses or passages, and in general all linguistic and grammatical issues related to the text. It also includes variations in qiraat (different ways of reading certain words and phrases).
2. Literary context: how the text in question functions within a particular surah or more broadly within the Qur'an. For example,

what comes before and after the verse or verses; the composition and structure of the text and its rhetorical style.

3. Literary form: identifying whether the text is historical, a prayer, a proverb, a parable, or a law. The literary form of a passage and its meaning are interconnected.
4. Parallel texts: exploring whether there are other texts similar to the text under consideration in the Qur'an and, if so, to what extent they are similar or different.
5. Precedents: identifying texts that are similar in content or meaning and whether those texts were revealed before or after the text under consideration.

In the third stage, the verses of the Qur'an need to be linked to the first recipients, namely the Prophet Muhammad and his Companions. There are several aspects that need to be explored.

1. Analyzing the context of the text: searching for historical and social information that can provide explanations about the text in question; analyzing the worldview, culture, customs, beliefs, norms, values, and institutions of the first recipients of the Qur'an in Hijaz. This involves an effort to understand the specific people targeted by the text, where they were and the time/conditions in which certain issues (political, legal, cultural, economic, for example) arose.
2. Determining the nature of the message conveyed by the text: legal, theological or ethical.
3. Exploring the basic messages and specific messages that appear to be the focus of the text; and investigating whether the message is likely to be universal (not specific to a situation, person or context) or a specific message relevant to the context of the first recipient community and where in the hierarchy of values the message lies.
4. Considering how the basic message relates to the broader goals and concerns of the Qur'an.
5. Assess how the text was received by the first community and how they interpreted, understood, and applied it.

The fourth stage is to adjust the context of the verse to the current context. In this stage, the following aspects need to be considered.

1. Explore the current social, political, economic, and cultural contexts related to the text.
2. Explore the values, norms, and specific institutions that influence the message of the text.

3. Comparing the current context with the historical-sociological context of the text under consideration to understand the similarities and differences between the two.
4. Connecting the meaning of the text as understood, interpreted, and applied by the first recipients of the Qur'an with the current context, taking into account the similarities and differences between the two.
5. Assessing the diversity or specificity of the message conveyed by the text and the extent to which the message is related or unrelated to the broader objectives and concerns of the Qur'an.

Saeed comments that classical interpretations have done very well in the first and second stages of interpretation, and some have even reached the third stage. However, classical interpretations often do not consider the third and fourth stages to be important, so adjustments to the current context are ignored. A concrete example is when Muslims are confronted with verses on the theme of *fiqh* law, they will definitely refer back to the classical *fuqaha* and not look at the modern context. The Qur'an should be used to look at the context so that *fiqh* law is formed, not the other way around, which is to limit the Qur'an with the opinions of classical scholars (Nur, 2024).

Result

Qur'anic Verses on the Prohibition of Non-Muslim Slaughter

The prohibition on Muslims eating animals that have not been slaughtered in the name of Allah SWT is literally stated in QS. Al-An'am 121 as follows.

وَلَا تَأْكُلُوا مِمَّا لَمْ يُذْكَرِ اسْمُ اللَّهِ عَلَيْهِ وَأَنَّهُ لَفِسْقٌ ۖ وَإِنَّ الشَّيَاطِينَ لَيُؤْمِنُونَ بِآيَاتِنَا وَلَٰكِن يُجَادِلُوكُمْ وَإِن أَطَعْتُمُوهُمْ إِنَّكُمْ لَمُشْرِكُونَ ۗ

Translation: "Do not eat of what is not slaughtered in Allah's Name. For that would certainly be an act of disobedience. Surely the devils whisper to their human associates to argue with you. If you were to obey them, then you too would be polytheists." [Qur'an, Surah Al-An'am (16): 121] translated from *Al-Qur'an dan Terjemahannya Edisi Penyempurnaan 2019* published by Lajnah Pentashihan Mushaf Al-Qur'an.

The objects prohibited in this verse, according to many opinions, are limited to animals and do not include plant-based foods. Imam Ṭabarī expressed several opinions based on hadith accounts, stating

that the verse refers to slaughter in general, carcasses, or slaughter specifically for idols (Al-Ṭabarī, n.d.). Similar opinions are expressed by classical exegetes, including (Kaṣīr, 1999) and (Al-Bagawī, 2000).

This verse comes after Allah SWT commands us to eat what is beneficial to humans and able to lead them to gratitude to Allah SWT. Thus, this prohibitive verse is in contrast to the previous verse (Al-Biqā'ī, n.d.). Mustafa Muslim (2010) says that the group of verses QS. Al-An'am verses 118-121 are explanations of what is *halal* and *haram*, whereas the verses before this group are explanations of faith. Thus, the arrangement of these verses is intended to explain that a person's faith must be maintained through practical behavior, not just through belief in the heart.

This verse begins with a prohibition that has legal implications of being *haram*, not merely *makruh* (Al-Qurṭubī, 1964). Regarding the wording "without mentioning the name of Allah," Ibn 'āsyur (1984) states that this is a form of deliberate and unwillingness to mention the name of Allah SWT when slaughtering. With this explanation, someone who forgets to say *tasmiyah* (recite the *basmalah*) before slaughtering is not considered *haram*.

A similar wording is found in verse 118 of the same surah, which is a command to eat only food that has been mentioned in the name of Allah SWT. Thus, verse 121, which is a prohibition, reinforces verse 118, which is a command. As for slaughtering without mentioning the name of Allah SWT, it is found in QS. Al-Baqarah: 173 below.

أَمَّا حَرَّمَ عَلَيْكُمْ الْمَيْتَةَ وَالْدَّمَ وَالْحُمْ وَالْخُزَيْرَ وَمَا أَهْلَ بِهِ لَعَيْرِ اللَّهِ ۚ فَمَنْ اضْطُرَّ غَيْرَ بَاغٍ
وَلَا عَادٍ فَلَا إِثْمَ عَلَيْهِ ۚ إِنَّ اللَّهَ غَفُورٌ رَحِيمٌ

Translation: "He has only forbidden you 'to eat' carrion, blood, swine, and what is slaughtered in the name of any other than Allah. But if someone is compelled by necessity—neither driven by desire nor exceeding immediate need—they will not be sinful. Surely Allah is All-Forgiving, Most Merciful." [Qur'an, Surah Al-Baqarah (2):173] translated from *Al-Qur'an dan Terjemahannya Edisi Penyempurnaan 2019* published by Lajnah Pentashihan Mushaf Al-Qur'an.

In Surah Al-Baqarah, the prohibition of slaughter applies if the animal is slaughtered and a name other than Allah SWT is mentioned, such as the names of the idols Latta and 'Uzza (Al-Qāsimī, 1998). However, this differs from QS. Al-An'am, which literally prohibits any slaughter except when the name of Allah SWT is mentioned. Ibn Hazm

(1986) states that QS. Al-An'am: 121 is a verse that was revealed during the Meccan period, while QS. Al-Baqarah: 173 was revealed during the Medinan period. Therefore, the verse from Surah Al-Baqarah takes precedence, namely that slaughtering in the name of anyone other than Allah SWT is forbidden.

Verses and Context during the Time of the Prophet

Al-Ṭabarī (1964) said that the verse relates to the incident of the Persian and Quraish polytheists mocking Muslims about the limits of the permissibility of carrion. The polytheists said that the Prophet Muhammad SAW and his companions were reluctant to eat meat slaughtered by Allah SWT, which they meant was carrion, because carrion is an animal that died naturally, so it was considered that Allah SWT had slaughtered it. Meanwhile, if the animal was slaughtered by Muslims themselves, only then would they eat it. From this story, the verse refers to carrion, not slaughtered animals.

Here is another hadith that instructs us to recite the name of Allah SWT over food whose slaughtering process is unknown. Narrated by Aisha the daughter of Abi Bakr, recorded in Sahih al-Bukhari, Book of Slaughtering and Hunting (Kitab al-Dzaba'ih wa al-Shayd), Hadith No. 5507 (also numbered 2057/5188 in different editions).

أَنَّ قَوْمًا قَالُوا: يَا رَسُولَ اللَّهِ، إِنَّ قَوْمًا يَأْتُونَنَا بِاللَّحْمِ، لَا نَدْرِي أَذَكَّرُوا اسْمَ اللَّهِ عَلَيْهِ
 أَمْ لَا؟. فَقَالَ رَسُولُ اللَّهِ ﷺ: (سَمُوا اللَّهَ عَلَيْهِ وَكُلُوهُ)

Translation: "A group of people said to the Messenger of Allah, peace be upon him: "There is a group of people who bring us meat, and we do not know whether they recited Bismillah when slaughtering it or not." The Messenger of Allah, peace be upon him, replied: "Say Bismillah and eat." (Reported by al-Bukhari in *Sahih al-Bukhari*, Hadith No. 5188)

'Abd al-Qadīr (1982) explains that this hadith relates to Muslims who were given gifts of meat slaughtered by Bedouins who had not yet converted to Islam in the city of Medina. It is natural for Muslims to feel apprehensive, because there is a verse in the Qur'an that was revealed during the Mecca period which prohibits slaughtering without mentioning the name of Allah. This incident, which occurred during the Medina period, became a *mubayyin* (clarification) for the verse QS. Al-An'am 121 which was revealed during the Mecca period. Therefore, even though the wording of the verse in the Qur'an prohibits slaughtering

without mentioning the name of Allah SWT without exception, this understanding is not based on the example of the Prophet.

Reciting the Basmalah when eating the meat, rather than when slaughtering it, is a sunnah, not an obligation. Continuing the explanation of 'Abd al-Qadīr (1982), after collecting several similar hadiths, he concluded this. As for meat that is slaughtered in the name of other than Allah SWT, he considers it to still be *haram*. This is in line with the wording of verse 173 of Surah Al-Baqarah.

The permissibility of eating meat that has been slaughtered without reciting the Basmalah is also not a law that is being implemented gradually. For example, the prohibition of alcoholic beverages was not immediately prohibited in one period when the verse was revealed. Rather, with four verses revealed gradually, *khamar* was finally prohibited absolutely (Chairunnisa, 2022). It should be emphasized that the events experienced by the companions occurred during the Madinah period, when Islamic civilization was already stronger than during the Mecca period, which often still required tolerance. Even when the Muslim community was already strong, the Prophet did not prohibit meat slaughtered by non-Muslims. This means that this law should continue to apply. What is prohibited is animals slaughtered as offerings to idols. Thus, from the explanation of the verse in relation to its first recipients, namely the companions, they did not apply it as literally as the hadith.

Discussion

Interpretation in Modern context

From the practice of the companions, the prohibition of slaughtered animals is only caused by the mention of names other than Allah SWT. As for non-Muslim slaughter, the Prophet also allowed it. However, in modern times where Muslims have spread widely and live together with non-Muslims, the religious status of the slaughterer is used by certain authorities (such as the MUI) as a condition for the *halal* status of slaughter.

Regarding the relationship between the religious status of the slaughterer and the status of *halal*, it has been proven that there is no specific requirement based on the previous explanation. In addition, the reason for the prohibition of slaughter is the mention of names other than Allah SWT. In the modern context, the act of slaughter for certain offerings is indeed very rare, but this practice still exists (Hermanto et al., 2023). However, it is necessary to reflect on the main reason why the

theological beliefs of others (slaughterers who mention names other than Allah) are able to influence the theological status of consumers through meat.

This was done because during the time of the companions, the status of faith was not yet as established as it is today. Based on the social constructs that existed at that time, a clear distinction still needed to be made between Muslims and non-Muslims. This argument is based on a hadith that commands Muslims to grow beards in order to distinguish themselves from non-Muslims. This means that the identity of Muslims still needed to be formed and was susceptible to identity mixing.

In modern times, the mixing of identities is no longer a concern in the realm of one's faith. The mention of names other than Allah SWT (such as Latta and Uzza) in modern society will not be taken as seriously as it was in the past. This is because modern society takes offerings seriously. Although the names of gods other than Allah SWT will be taken seriously by the slaughterer, this is not the case with consumers. Thus, concerns about the erosion of faith can be avoided. Therefore, it is acceptable to consume meat slaughtered by non-Muslims, even if the name of someone other than Allah SWT is mentioned.

Conclusion

Verse 121 of Surah Al-An'am literally prohibits the consumption of animals that are not slaughtered in the name of Allah SWT. Historically, the revelation of this verse was closely related to the debate between Muslims and polytheists regarding the permissibility of consuming carrion, indicating that the prohibition was associated with the ritual practices and beliefs of the society at that time. In its early interpretation, the verse was understood textually by the Companions, although several narrations also indicate that the Prophet Muhammad saw. permitted the consumption of meat slaughtered by non-Muslims under certain circumstances. This suggests that the issue of slaughter was not solely determined by the religious identity of the slaughterer, but also by the broader context and purpose of the slaughter itself.

Using Abdullah Saeed's contextualist approach, QS. Al-An'am:121 can be understood not only linguistically, but also through its socio-historical background and its relevance to contemporary realities. The subsequent revelation, QS. Al-Baqarah:173, further emphasizes the prohibition of animals slaughtered in the name of other than Allah SWT, which in the early Islamic context functioned as a means of

distinguishing Islamic identity from polytheistic ritual practices. In the contemporary context, where social and religious conditions differ significantly from the early period of Islam, the interpretation of this verse can be contextualized by emphasizing the ethical and theological substance of *halal* consumption rather than merely its literal formulation. Therefore, the contextual approach offers a more adaptive understanding of *halal* slaughter within modern pluralistic societies while remaining grounded in the broader objectives of Islamic teachings

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