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# COMPARATIVE LEGAL REASONING AMONG ISLAMIC SCHOOLS OF THOUGHT: METHODS OF RESOLVING *TA'ĀRUḌ AL-ADILLAH* (CONFLICTING EVIDENCES)

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***Abstract***
*The phenomenon of conflicting legal evidences (ta'āruḍ al-adillah) is a critical issue in the discipline of uṣūl al-fiqh, particularly in the process of Islamic legal reasoning (istinbāṭ al-ḥukm). This occurs when two or more legal texts appear to contradict each other in determining a legal ruling. Various Islamic legal schools developed distinct methods to resolve such conflicts. This study aims to conduct a comparative analysis of conflict-resolution methods in four major Sunni schools: Ḥanafī, Mālikī, Shāfi'ī, and Ḥanbalī. It employs a qualitative research method with a normative-conceptual approach, relying on classical and contemporary literature in uṣūl al-fiqh. The findings reveal that although the schools differ in emphasis and procedural order—such as using tarjīḥ (preference), nasakh (abrogation), or al-jam' wa al-tawfīq (reconciliation)—they all uphold the integrity and authority of the legal texts. This study asserts that such methodological diversity should not be seen as contradiction, but as a reflection of the intellectual richness and flexibility inherent in Islamic law in addressing the complexities of social reality.*
***Keywords***: *Ta'āruḍ al-Adillah;, Tarjīḥ; Uṣūl al-Fiqh; Madhhab; Istinbāṭ.*

**Abstrak**
Konflik antar dalil (*ta'āruḍ al-adillah*) merupakan persoalan penting dalam disiplin *ushul fiqh*, khususnya dalam proses istinbāṭ hukum Islam. Fenomena ini terjadi ketika dua atau lebih dalil syar'i tampak saling bertentangan dalam menentukan suatu hukum. Penanganan terhadap pertentangan ini memunculkan beragam metode di kalangan mazhab-mazhab fikih. Penelitian ini bertujuan untuk mengkaji secara komparatif metode penyelesaian *ta'āruḍ al-adillah* menurut empat mazhab besar: Hanafiyah, Malikiyah, Syafi'iyah, dan Hanabilah. Metode yang digunakan adalah penelitian kualitatif dengan pendekatan normatif-konseptual, melalui studi pustaka terhadap literatur klasik dan kontemporer dalam bidang *ushul fiqh*. Hasil kajian menunjukkan bahwa meskipun terdapat perbedaan dalam penekanan metode dan urutan penyelesaian seperti penggunaan *tarjīḥ* (menguatkan salah satu dalil), *nasakh* (penghapusan), atau *al-jam' wa al-taufīq* (kompromi) seluruh mazhab tetap berpegang pada prinsip menjaga konsistensi hukum dan otoritas dalil. Penelitian ini menegaskan bahwa keragaman metodologis dalam penyelesaian dalil bukanlah bentuk kontradiksi, melainkan representasi dari kekayaan intelektual dan fleksibilitas hukum Islam dalam merespons kompleksitas realitas sosial.
**Kata kunci**: Ta'āruḍ al-Adillah; Tarjīḥ; Ushul Fiqh; Mazhab; Istinbāṭ.

## INTRODUCTION

Islamic legal rulings are derived from authoritative sources referred to as *al-adillah al-shar'iyyah* (legal evidences), which serve as the foundation for *istinbāṭ al-ḥukm* (derivation of rulings). These evidences include both *dalīl qath'ī* (definitive proof) and *dalīl ẓannī* (speculative proof). Definitive proofs, such as the Qur'an and *mutawātir* hadiths, convey certain knowledge and binding rulings, whereas speculative proofs, such

as *āḥād* hadiths and analogical reasoning (*qiyās*), indicate probability and require interpretive judgment (Khallaf, 2002; Al-Zayyan, 1990).

The Qur'an and Sunnah present legal rulings in varying forms—explicit, implicit, general, and specific—making interpretive tools from *uṣūl al-fiqh* essential to legal reasoning (Az-Zuhaili, 2005). In some instances, jurists are faced with evidences that appear contradictory. This phenomenon, termed *taʿāruḍ al-adillah* (conflict of evidences), does not imply inherent contradiction in divine revelation, but rather reflects differences in human interpretation and understanding (Zaidan, 1996; Hafnawi, 1987). Classical Muslim scholars have long addressed such issues, developing methods to reconcile or resolve these apparent conflicts through *al-jamʿ wa al-tawfīq* (reconciliation), *tarjīḥ* (preference), or *nasakh* (abrogation) (Al-Ghazali, 1903; Al-Amidi, 1984).

Addressing *taʿāruḍ* is not only foundational in classical Islamic legal theory but also critical in contemporary Islamic legal discourse, where new realities and legal challenges demand coherent responses grounded in authentic tradition. The ability to resolve conflicting evidences reflects the depth, flexibility, and resilience of Islamic legal methodology (*thuruq al-istinbāṭ*) in dealing with complex socio-legal issues (Al-Nasyimi, 1997; Jazar, 2004).

Despite the wealth of scholarship on *taʿāruḍ*, there is a lack of systematic comparative analysis of the methodologies employed by the four major Sunni schools—Ḥanafī, Mālikī, Shāfi'ī, and Ḥanbalī—especially in light of contemporary legal contexts. This research gap limits both academic understanding and practical application of *uṣūl al-fiqh* in addressing evolving issues in modern Muslim societies.

Based on this context, this study seeks to answer four fundamental questions: (1) What is the conceptual and terminological definition of *taʿāruḍ al-adillah*? (2) What factors contribute to the occurrence of such apparent contradictions? (3) How do the Sunni legal schools methodologically resolve them? and (4) In what ways are these resolution methods applied in different fields of Islamic law, including worship (*ʿibādah*), criminal law (*jināyah*), and personal status law (*aḥwāl al-shakhṣiyyah*)?

## RESEARCH METHOD

This study employs a qualitative research method with a normative-conceptual approach, focusing on the analysis of methods for resolving *taʿāruḍ al-adillah* (conflicts among legal evidences) from the perspective of various Sunni legal schools (*madhāhib*). The approach is appropriate given the nature of the subject matter, which involves abstract legal principles and interpretive methodologies within the discipline of *uṣūl al-fiqh*.

Data is collected through library research, relying on both classical and contemporary sources. Key references include foundational texts of *uṣūl al-fiqh*, works of interpretation (*tafsīr*), and writings of prominent scholars from the Ḥanafī, Mālikī, Shāfiʿī, and Ḥanbalī schools. These include works such as *Al-Iḥkām* by al-Amidi, *Al-Mustaṣfā* by al-Ghazali, *Uṣūl al-Fiqh* by Wahbah al-Zuḥailī, and others that represent authoritative voices within their respective traditions.

The analytical method used is descriptive-comparative. The study systematically describes and compares the theoretical frameworks and practical applications employed by each school in addressing apparent contradictions between legal evidences. Through this comparative lens, the research aims to uncover both the shared epistemological foundations and the divergent interpretive strategies of each school.

Furthermore, this study critically evaluates the sources used, recognizing that many classical texts often reflect the doctrinal priorities of their respective madhhab. For instance, Hanafī works tend to emphasize juristic reasoning (*ra'y*) and analogy, while Shāfiʿī sources prioritize textual fidelity and linguistic analysis. This intra-madhhab orientation may introduce interpretive bias, particularly when discussing contested concepts such as *nasakh*, *tarjīḥ*, or the authority of *āḥād* traditions. Therefore, this study attempts to cross-reference perspectives from multiple schools to reduce partiality and foster a more balanced comparative framework.

The interpretive critique extends to how certain scholars may dismiss or overemphasize a method based on the intellectual priorities of their tradition rather than objective legal reasoning. To address this, the research engages secondary commentaries and modern scholarship that contextualize the classical methodologies within broader jurisprudential debates.

Ultimately, this methodology enables a holistic understanding of how the Islamic legal tradition deals with conflicting evidences, while also interrogating the underlying assumptions that shape each school's method of resolution.

## RESULT AND DISCUSSION

### *Definition of Ta'arudh al-Adillah*

Etymologically, *ta'arudh* means mutual contradiction or opposition. In the framework of *usul al-fiqh* (principles of Islamic jurisprudence), this term refers to a situation where two pieces of evidence, having equal legal authority, are in conflict, with each stipulating different rulings such as one permitting and the other prohibiting or negating each other's effect (Al-Zuhaili, 2005). In other words, legal contradiction arises when two evidences of equal strength prescribe rulings that are inconsistent or even mutually exclusive.

Essentially, every piece of evidence in Islamic law is intended to establish a legal ruling on a given matter. When two evidences indicate different rulings regarding the same case, this situation is referred to as a conflict or contradiction between evidences (Khallaf, 2002).

Such contradictions may arise from *naqli* evidences—those derived from revealed texts such as the Qur'an and Hadith—or from *'aqli* evidences, which are based on logical reasoning, such as *qiyas* (analogical reasoning) (Zaidan, 1996). It can also occur with either *qath'i* (definitive) or *zhanni* (speculative) evidences (Zahrah, 1985). However, the focus in this discussion is primarily on contradictions found within the Qur'an itself.

Within Islamic legal scholarship, scholars have expressed differing views regarding the types of evidences that may come into conflict. The Hanafite school, represented by notable figures such as al-Sarakhsi, al-Laknawi, Amir Badi Shah, and al-Khadhari, maintains that contradictions can arise among both *qath'i* (definitive) and *zhanni* (speculative) evidences. In contrast, the Shafi'ite school, as articulated by scholars like al-Baidhawi, Fakhr al-Din al-Razi, and al-Amidi, asserts that contradictions can only occur among *zhanni* evidences. According to this view, *qath'i* evidences are absolute and inherently free from any possibility of conflict due to their definitive nature (Al-Jazar, 2004).

Terminologically, *ta'arudh* encompasses three primary understandings: first, two evidences that contradict and negate each other; second, *ta'arudh* understood as *tanaqudh* (contradiction); and third, *ta'arudh* as two equally authoritative proofs that conflict, where each one mandates a ruling different from the other. Although some scholars equate *ta'arudh* with *tanaqudh*, there are important distinctions between the two.

Linguistically, *tanaqudh* signifies difference or opposition and can also mean the nullification or collapse of a structure or bond. Terminologically, *tanaqudh* refers to a conflict between two propositions, where one is true and the other false, with the false proposition being permanently invalidated (Hafnawi, 1987).

The distinction between *ta'arudh* and *tanaqudh* can be outlined through several key aspects. First, *ta'arudh* is specifically limited to evidences related to legal rulings, while *tanaqudh* may occur in both legal and non-legal contexts. Second, *ta'arudh* refers to apparent contradictions at the level of surface meaning, whereas *tanaqudh* deals with contradictions in the very essence or core meaning of the rulings. Third, *ta'arudh* typically involves two conflicting evidences, while *tanaqudh* can encompass more than two opposing propositions. Finally, the resolution of *ta'arudh* generally employs reconciliation methods, such as *jama'* (harmonization) or *tarjih* (giving preference to one

evidence over another), whereas *tanaqudh* requires the outright rejection of one of the conflicting propositions.

The distinction between *taʿāruḍ* and *tanāquḍ* is essential in Islamic legal theory. Although sometimes used interchangeably, these two concepts differ in scope and implication. The table below outlines their key differences:

**Table 1 Comparison Between *Taʿāruḍ* and *Tanāquḍ***

| Aspect | Taʿāruḍ **(Apparent Contradiction)** | Tanāquḍ **(Logical Contradiction)** |
|---|---|---|
| Domain | Legal evidences (*dalīl sharʿī*) | Any logical or rational proposition |
| Scope | Specific to fiqh (legal rulings) | Broader philosophical or linguistic context |
| Nature | Apparent conflict; resolution is possible | True contradiction; resolution requires elimination |
| Resolution Method | *Jamʿ*, *tarjīḥ*, *nasakh*, or *tasāquṭ* | One proposition is invalidated by the truth of the other |
| Number of Evidences | Typically between two legal texts | Can be between two or more abstract statements |
| Example | One verse permits something, another restricts it | "Zayd is standing" vs "Zayd is not standing" |

A classic example of *taʿāruḍ* can be found in the **verses on inheritance**. Surah al-Nisāʾ (4:11) states:

*"Allah instructs you concerning your children: for the male, what is equal to the share of two females..."* (Qur'an 4:11)

Meanwhile, in Surah al-Anfāl (8:75), Allah says:

*"But those of blood relationship are more entitled to inheritance..."* (Qur'an 8:75)

At first glance, these verses may seem to contradict each other—one prescribing fixed shares for heirs, while the other prioritizes blood ties. This raises the question: which principle prevails—fixed textual shares or relational proximity?

This apparent contradiction (*taʿāruḍ*) is resolved through *al-jamʿ wa al-tawfīq*, by contextualizing the verses: the first verse establishes general inheritance laws with specific shares, while the second verse emphasizes relative entitlement in the absence of fixed shares, such as when dealing with *dhawī al-arḥām* (distant relatives) not mentioned in 4:11. Thus, there is no true *tanāquḍ*, only a need for interpretive reconciliation (*taʿāruḍ*).

The issue of *ta'arudh al-adillah* has been a significant area of discussion among Muslim scholars, especially in interpreting the evidences of Islamic law. In the modern era, the study of such apparent contradictions has become increasingly important in addressing the complexities of contemporary Muslim life, particularly in dealing with new issues that are not explicitly addressed in the scriptural sources.

***Causes of the Occurrence of Ta'arudh al-Adillah***

The apparent contradiction between two or more pieces of evidence in Islamic law is generally only superficial. Such differences often result from variations in interpretation among jurists (*fuqaha*) regarding the meanings of the evidences. Several factors contribute to the emergence of this perceived contradiction, including:

1. The existence of *nass* (textual evidence) that is categorized as *zhanni al-dalalah*, namely, evidences that do not convey a definitive legal ruling and are open to multiple interpretations. In Islamic legal scholarship, evidences are classified based on the clarity of their meaning into two types: *qath'i al-dalalah* (evidence that conveys a clear and definitive meaning) and *zhanni al-dalalah* (evidence whose indication of meaning is speculative or requires further interpretation). An example of *zhanni al-dalalah* evidence is Allah's statement in Surah Al-Baqarah, verse 228.

   وَالْمُطَلَّقٰتُ يَتَرَبَّصْنَ بِاَنْفُسِهِنَّ ثَلٰثَةَ قُرُوْۤءٍۗ وَلَا يَحِلُّ لَهُنَّ اَنْ يَّكْتُمْنَ مَا خَلَقَ اللّٰهُ فِيْٓ اَرْحَامِهِنَّ اِنْ كُنَّ يُؤْمِنَّ بِاللّٰهِ وَالْيَوْمِ الْاٰخِرِۗ وَبُعُوْلَتُهُنَّ اَحَقُّ بِرَدِّهِنَّ فِيْ ذٰلِكَ اِنْ اَرَادُوْٓا اِصْلَاحًاۗ وَلَهُنَّ مِثْلُ الَّذِيْ عَلَيْهِنَّ بِالْمَعْرُوْفِۖ وَلِلرِّجَالِ عَلَيْهِنَّ دَرَجَةٌۗ وَاللّٰهُ عَزِيْزٌ حَكِيْمٌ

   *And divorced women shall wait [as regards their marriage] for three quru'. And it is not lawful for them to conceal what Allah has created in their wombs if they believe in Allah and the Last Day. And their husbands have a greater right to take them back during that period if they desire reconciliation. And women have rights similar to their obligations according to what is fair, but men have a degree over them. And Allah is Almighty, All-Wise.* (QS. Al-Baqarah (2): 228)

   In this verse, the word *quru'* serves as an example of a term that carries *zhanni al-dalalah* (speculative indication), as it holds two possible meanings: purity (*tuhr*) and menstruation (*haidh*). Divergent understandings of this word have led to various opinions among scholars, sometimes even appearing to conflict with other evidences.

2. The Prophet Muhammad (peace be upon him) was granted authority by Allah to issue legal rulings in certain contexts, and at times he prescribed different rulings for similar matters depending on the situation. When variations arise in the transmission (*riwayah*) of Hadiths by different narrators, this may create the appearance of contradiction, although in essence, true contradiction may not exist.

3. Conflicts between evidences may also occur when one Hadith serves as a *nasikh* (abrogator) of another. However, the lack of knowledge regarding the occurrence of abrogation (*naskh*) among some scholars can lead to the perception of contradiction, even though no real conflict is present.

4. There are instances in which the Prophet (peace be upon him) offered two different legal approaches to a single issue, granting the community the freedom to choose either option. Some narrators transmitted one version, while others narrated a different one. For those unaware that both rulings are valid, these differences may appear as contradictions, although, in reality, no actual conflict exists. Thus, both approaches remain applicable depending on the context.
5. Furthermore, both the Qur'an and Hadith contain general (*'am*) and specific (*khass*) evidences. At times, a text may be applicable in a general sense, while in other situations, it pertains specifically to particular cases. This distinction is often only apparent at the surface level and is frequently mistaken for a contradiction, though substantively no real conflict exists.

Other factors that may contribute to the perceived existence of *ta'arudh* (contradiction) among evidences include:

First, variations in recitation (*qira'at*) that influence the meaning Some Qur'anic words have multiple valid recitations that influence legal conclusions. Example: Surah al-Mā'idah (5:6), concerning wudhu:

**... وَامْسَحُوا بِرُءُوسِكُمْ وَأَرْجُلَكُمْ إِلَى الْكَعْبَيْنِ** (Ḥafṣ recitation – *arjulakum* [mansūb]) *"...and wipe over your heads and [wash] your feet to the ankles."*

**... وَامْسَحُوا بِرُءُوسِكُمْ وَأَرْجُلِكُمْ** (Warsh recitation – *arjulikum* [majrūr]) *"...and wipe over your heads and your feet..."*
The first recitation is understood as a command to wash the feet (as adopted by the Shāfi'ī school), while the second recitation is interpreted as a command to wipe over the feet (as preferred by some Mālikī and Ẓāhirī scholars). This difference is not merely linguistic, but also rooted in geographical context. The Warsh recitation is more dominant in North Africa, which has significantly influenced the legal tendencies of the Mālikī school in that region.

Second, the lack of clarity regarding the chronology of revelation; third, the combining of multiple meanings within a single textual formulation; and fourth, differences in the circumstances of seemingly similar but in fact distinct cases. For instance, variations in recitation can lead to divergent interpretations, and the unawareness of the chronological context of a particular evidence can make it appear to conflict with another, whereas in reality, the application may have shifted over time (Al-Jazar, 2004).

Thus, the impression of conflict or *ta'arudh* among evidences is often rooted in differences in the perspectives of jurists towards the textual sources. An overly literal

interpretation of a text's outward meaning can foster the perception of contradiction, whereas in fact, such differences more commonly stem from limitations in the understanding or information available to scholars regarding the evidences of Islamic law.

***Methods for Resolving Ta'arudh al-Adillah***

*Ta'arudh al-adillah* (conflict between evidences) represents a problem that must be addressed. When two or more evidences are perceived as conflicting by jurists (*fuqaha*), resolution must be sought using appropriate methods based on systematic approaches within the framework of *usul al-fiqh* (principles of Islamic jurisprudence) (Az-Zuhaili, 2005).

**The Hanafī Scholars**

According to the Hanafī scholars, conflict (*ta'arudh*) may arise not only between explicit scriptural texts (*nusus shar'iyyah*) revealed through divine revelation but also between other types of evidences, such as between two differing analogical deductions (*qiyas*) (Zaidan, 1996). When a conflict arises between two forms of *qiyas*, a *mujtahid* (qualified jurist) must prioritize one over the other by assessing which analogy carries greater merit. If the conflict occurs between two *nusus*, the Hanafī school has developed specific and systematic methods to resolve such contradictions (Az-Zuhaili, 2005).

a) *Nasakh* (Abrogation)

Linguistically, *nasakh* means to delete, replace, or transfer something (Al-Ghazali, 1903). In the context of Islamic law, it refers to the process of repealing an existing legal ruling and replacing it with a new ruling based on the chronological order of revelation (Al-Razi, n.d.). Therefore, *nasakh* is applicable only within the scope of revelation and cannot occur outside the prophetic era. For this reason, a *mujtahid* must first ascertain the chronological sequence of the two seemingly conflicting *nusus*. Once it is determined which text was revealed earlier and which later, the later text may be regarded as abrogating the earlier one (Khallaf, 2002).

As an illustration, consider two verses discussing the waiting period (*'iddah*) for widowed women: Surah Al-Baqarah (2:234) and Surah At-Talaq (65:4). Ibn Mas'ud explained that the verse in Surah At-Talaq, which was revealed later, abrogates the ruling of the earlier verse in Surah Al-Baqarah. As further elaborated by Dedi Supriyadi, Al-Baqarah 2:234 establishes a general rule concerning the waiting period for women whose husbands have died, whether or not they are pregnant. In contrast, At-Talaq 65:4 specifically regulates the *'iddah* for pregnant women. Since it was revealed later, the latter verse is considered to abrogate or limit the general application of the former (Supriyadi, 2007).

The weakness of the *Nasakh* method is Nasakh involves the serious theological claim of nullifying parts of divine revelation, and often relies on uncertain chronology. Disagreements about the timing of verses or hadiths can make this method highly speculative and controversial across legal schools.

b) *Tarjih* (Preference)

The method of *tarjih* is used to select and strengthen one of the two conflicting evidences based on supporting indications (*qarinah*) that affirm the greater strength of the preferred evidence (Zaidan,1996). If a *mujtahid* cannot determine with certainty the chronological order of the two conflicting *nusus*, the next step is to favor the evidence deemed stronger. Several approaches may be employed in *tarjih*, including: prioritizing a *muhkam* (clear and unequivocal) text over a *mufassar* (explained or interpreted) one, giving precedence to evidences that establish prohibition (*tahrim*) over those that indicate permissibility (*ibahah*), and considering the quality of Hadith transmitters in terms of personal integrity (*'adalah*), precision (*dhabit*), as well as their level of scholarly understanding and expertise in *fiqh* (Az-Zuhaili, 2005).

The weakness of the *Tarjih* method is Tarjīḥ is vulnerable to subjectivity and bias, especially when the epistemological basis of the jurist is not transparent. The criteria for preference differ widely across schools and may reflect theological or ideological leanings rather than textual strength. At times, *tarjīḥ* can serve as a tool to reinforce preconceived positions rather than seek objective truth.

c) *Al-Jam'u wa al-Tawfiq* (Reconciliation and Harmonization)

*Al-jam'u wa al-tawfiq* is a method used to reconcile or harmonize two apparently conflicting evidences by combining their meanings in a way that allows both to be implemented. The fundamental principle of this method is based on the maxim: "Implementing both evidences is preferable to discarding one of them (Syafe'i, 1998)." An example of this approach can be found in the Qur'anic verse Surah al-Ma'idah (5:3):

حُرِّمَتْ عَلَيْكُمُ الْمَيْتَةُ وَالدَّمُ وَلَحْمُ الْخِنْزِيْرِ وَمَآ اُهِلَّ لِغَيْرِ اللّٰهِ بِهٖ....

*Prohibited to you are dead animals, blood, the flesh of swine, and that which has been dedicated to other than Allah....*

Here, the prohibition of blood is stated without specifying whether it refers to flowing blood or congealed blood. In Surah al-An'am (6:145), however, Allah SWT specifies.

...اِلَّآ اَنْ يَّكُوْنَ مَيْتَةً اَوْ دَمًا مَّسْفُوْحًا...

*...unless it be a dead animal, or blood poured forth...*

Using the method of *al-jam'u wa al-tawfiq*, these two verses are harmonized by understanding that the prohibition pertains specifically to flowing blood, rather than all forms of blood in general. Thus, there is no actual contradiction between the two verses; instead, they complement each other by providing clarification.

The weakness of the *Al-Jam'u wa al-Tawfiq* method is While theoretically ideal, this method can sometimes be **forced**, leading to artificial interpretations that stretch the natural meaning of the text. Reconciliation may obscure the original intent of the revelation and result in a hybrid ruling that lacks strong textual support.

d) *Tasaqut al-Dalilayn* (Mutual Cancellation of Two Evidences)

*Tasaqut al-dalilayn* is considered the final recourse for a *mujtahid* when two conflicting evidences cannot be resolved through reconciliation (*al-jam'u wa al-tawfiq*), prioritization (*tarjih*), or abrogation (*nasakh*) (Az-Zuhaili, 2005). In such cases, both evidences are deemed to have fallen away, meaning they can no longer serve as a valid basis for legal rulings. Therefore, an alternative source of law, usually of a lower order, must be sought (Zaidan, 1996).

For instance, if two Qur'anic verses are in direct conflict and cannot be harmonized through prior methods, the jurist would refer instead to the Sunnah (Hadith) for legal guidance (Zahrah, 1985). Similarly, if a conflict arises between two Hadiths that cannot be reconciled, some scholars opt to base the ruling on the consensus or opinions of the Companions (*qawl al-sahabah*). Others, who do not consider the opinion of the Companions as binding evidence, would instead turn to *qiyas* (analogical reasoning) as the foundation for establishing legal rulings (Khallaf, 2002).

The weakness of the *Tasaqut al-Dalilayn* method is Tasāquṭ is an extreme and seldom-used method, as it implies that two valid divine sources cancel each other out. This raises theological and methodological concerns about the role of revelation in lawmaking. Furthermore, determining that two texts are truly equal in strength is itself difficult and open to debate.

**Shafi'i Scholars**

According to the Shafi'i school, when a conflict arises between two forms of *qiyas* (analogical reasoning), a *mujtahid* is obligated to choose and prioritize one of them (Az-Zuhaili, 2005). Meanwhile, if the conflict involves two *nass* (explicit scriptural texts), the Shafi'i, Maliki, Hanbali, and Zahiri schools agree that the *mujtahid* must conduct a thorough and systematic process of *ijtihad* by following certain stages (Zaidan, 1996):

a) *Al-Jam'u wa al-Tawfiq* (Reconciliation and Harmonization)

Linguistically, *al-jam'u* means to combine or unite separate things, while *al-tawfiq* signifies harmonization or reconciliation (Al-Barzanji, 1996). In the terminology of *usul al-fiqh* (principles of Islamic jurisprudence), this method refers to the effort to reconcile two seemingly contradictory evidences by interpreting them in a way that allows both to be implemented simultaneously (Az-Zuhaili, 2005). In the Shafi'i tradition, *al-jam'u wa al-tawfiq* is the first approach taken when dealing with conflicting evidences. If reconciliation is possible, both evidences must be acted upon without favoring one over the other. The basis for this approach is the principle that implementing both evidences is preferable to neglecting either one (Al-Ghazali, 1903).

An example can be seen in issues related to the waiting period (*'iddah*), where three reconciliation approaches are known: (1) Dividing the application of both rulings according to different contexts; (2) Preferring one ruling as more suitable in a particular case; and (3) Restricting the general meaning of a text by interpreting it in light of a more specific text, as the Hanafi school often resolves through the method of *nasakh* (abrogation) (Al-Jazar, 2004).

b) *Tarjih* (Preference)

If reconciliation through *al-jam'u wa al-tawfiq* is not possible due to irreconcilable differences in meaning, the next step is *tarjih*, which involves preferring the stronger of the two evidences based on supporting arguments (Zahrah, 1985). In this case, the *mujtahid* is permitted to choose and apply the evidence deemed stronger.

c) *Nasakh* (Abrogation)

According to Imam al-Ghazali, *nasakh* linguistically means erasure or annulment (Al-Ghazali, 1903). In the Islamic legal context, it refers to a divine command indicating that a previously established ruling has been replaced or rendered obsolete by a subsequent revelation (Al-Ghazali, 1903). If the conflict between two evidences cannot be resolved through *tarjih*, the later evidence abrogates the earlier one. Hence, knowing the chronological order of revelation is essential for applying *nasakh* properly (Az-Zuhaili, 2005).

d) *Tasaqut al-Dalilain* (Mutual Cancellation of Two Evidences)

*Tasaqut* linguistically means to cause something to fall or be discarded (Manzhur, 1119). In *usul al-fiqh*, it refers to disregarding both conflicting evidences when they cannot be reconciled, preferred, or subjected to *nasakh*. Thus, both evidences are deemed invalid as sources for legal rulings. In such cases, the *mujtahid* is permitted to refer to alternative sources of law with lower evidentiary strength as a basis for *ijtihad* (Az-Zuhaili, 2005).

In general, *fuqaha* have concluded that resolving conflicts between evidences follows several stages. If the chronological order of revelation is clear, *nasakh* is the primary method. If one evidence is stronger, *tarjih* is applied. If both can be reconciled, *al-jam'u wa al-tawfiq* is employed. If none of these methods are feasible, the final option is *tasaqut*, abandoning both evidences and referring to another source (Khallaf, 2002).

According to Wahbah al-Zuhaili, differences among scholars in handling conflicts between evidences can be classified into two main approaches: the Shafi'i and Hanafi schools. Both schools are categorized as *mujtahid mutlaq* (absolute independent jurists) and have played major roles in the development of *usul al-fiqh* (Az-Zuhaili, 2005). The method of legal derivation (*istinbat*) widely used by contemporary scholars is based primarily on these two approaches. The Shafi'i school, characterized by the *mutakallimun* (theologians) methodology, is followed predominantly by scholars from the Shafi'i, Maliki, and Hanbali traditions. Meanwhile, the Hanafi school is known as the *fuqaha* approach, emphasizing more practical methods in legal determination (Zaidan, 1996).

Modern scholars have argued that while classical methods are rigorous and structured, they often fail to engage with the historical, ethical, and social dimensions of the texts. For example, Fazlur Rahman introduced the double-movement hermeneutic, whereby interpreters move from the socio-historical context of revelation to extract moral principles, and then return to the present to reformulate law in light of those principles.

Rahman's approach emphasizes moral coherence and the higher objectives of the Sharia (*maqāṣid al-sharīʿah*), rather than focusing solely on textual preference. It addresses the limitations of *tarjīḥ*, which can be overly formalistic, and *nasakh*, which risks discarding morally relevant teachings.

Similarly, scholars such as Mohammad Hashim Kamali and Abdullahi An-Naʿim advocate for a methodological reform of uṣūl al-fiqh, promoting more contextual, pluralistic, and justice-oriented approaches to resolving textual conflicts.

***Application of Resolving Ta'āruḍ in the Field of Law***

Resolving Ta'āruḍ al-Adillah in Matters of Worship ('Ibādah)

The Qur'an, as the ultimate guide for Muslims, contains comprehensive legal principles. Broadly speaking, the legal content of the Qur'an can be classified into three main categories: i'tiqādī rulings (relating to creed and faith), ethical rulings (concerning morality and character), and practical rulings (governing human behavior and actions). Practical rulings themselves are divided into two domains: rulings on 'ibādah (vertical relationship between humans and God) and mu'āmalāt (horizontal interactions between humans). Rulings on 'ibādah occupy a significant position in the Qur'an as they regulate

core obligations such as prayer (ṣalāh), fasting (ṣawm), almsgiving (zakāt), and pilgrimage (ḥajj), all of which aim to strengthen the spiritual bond between a servant and their Lord (Khallaf, 2002). However, in interpreting the laws of worship, there occasionally arise assumptions of contradictions between various verses that address them.

One such example of an alleged contradiction is found between Surah al-Muzzammil (73): 20 and Surah al-A'rāf (7): 204**:**

اِنَّ رَبَّكَ يَعْلَمُ اَنَّكَ تَقُوْمُ اَدْنٰى مِنْ ثُلُثَيِ الَّيْلِ وَنِصْفَهٗ وَثُلُثَهٗ وَطَاۤىِٕفَةٌ مِّنَ الَّذِيْنَ مَعَكَۗ وَاللّٰهُ يُقَدِّرُ الَّيْلَ وَالنَّهَارَۗ عَلِمَ اَنْ لَّنْ تُحْصُوْهُ فَتَابَ عَلَيْكُمْ فَاقْرَءُوْا مَا تَيَسَّرَ مِنَ الْقُرْاٰنِۗ عَلِمَ اَنْ سَيَكُوْنُ مِنْكُمْ مَّرْضٰىۙ وَاٰخَرُوْنَ يَضْرِبُوْنَ فِى الْاَرْضِ يَبْتَغُوْنَ مِنْ فَضْلِ اللّٰهِۙ وَاٰخَرُوْنَ يُقَاتِلُوْنَ فِيْ سَبِيْلِ اللّٰهِ فَاقْرَءُوْا مَا تَيَسَّرَ مِنْهُۗ وَاَقِيْمُوا الصَّلٰوةَ وَاٰتُوا الزَّكٰوةَ وَاَقْرِضُوا اللّٰهَ قَرْضًا حَسَنًاۗ وَمَا تُقَدِّمُوْا لِاَنْفُسِكُمْ مِّنْ خَيْرٍ تَجِدُوْهُ عِنْدَ اللّٰهِ هُوَ خَيْرًا وَّاَعْظَمَ اَجْرًاۗ وَاسْتَغْفِرُوا اللّٰهَۗ اِنَّ اللّٰهَ غَفُوْرٌ رَّحِيْمٌ

*Indeed, your Lord knows, [O Muhammad], that you stand [in prayer] almost two-thirds of the night, or half of it, or a third of it, and so do a group of those with you. And Allah determines [the extent of] the night and the day. He knows that you [Muslims] will not be able to do it and has turned to you in mercy. So recite what is easy [for you] of the Qur'an. He knows that there will be among you those who are ill, others traveling through the land seeking the bounty of Allah, and others fighting in the cause of Allah. So recite what is easy from it and establish prayer and give zakat and lend to Allah a goodly loan. And whatever good you put forward for yourselves—you will find it with Allah. It is better and greater in reward. And seek forgiveness of Allah. Indeed, Allah is Forgiving and Merciful.* (QS Al- Muzammil (73) : 20)

This verse encourages, or even obliges, Muslims to recite the Qur'an. On the surface, this appears to contradict another verse:

وَاِذَا قُرِئَ الْقُرْاٰنُ فَاسْتَمِعُوْا لَهٗ وَاَنْصِتُوْا لَعَلَّكُمْ تُرْحَمُوْنَ

*When the Qur'an is recited, listen to it attentively and be silent, that you may receive mercy.* (QS Al-A'raf (7) : 204)

This latter verse commands listening and remaining silent when the Qur'an is recited—whether during prayer or outside it. At a glance, the two verses appear contradictory: one commands recitation, the other requires attentive silence. Since one cannot be preferred over the other through *tarjīḥ* (preferential analysis), both could potentially be disregarded. Thus, resolution must be sought through other sources, such as the hadith of the Prophet Muhammad (peace be upon him) (Hafnawi, 1987).

One such hadith narrated by Jābir (may Allah be pleased with him) states: "Whoever has an imam [in prayer], then the recitation of the imam suffices for him." (Reported by Ibn Mājah) (Al-Bukhari, 1997). This hadith provides supportive evidence

that in congregational prayer, the recitation of the Qur'an by the imam is sufficient for the followers (ma'mūmīn). Therefore, the ma'mūm is not obliged to recite other Qur'anic verses besides Surah al-Fātiḥah, as the imam's recitation already fulfills that obligation. This resolves the apparent conflict between the obligation to recite and the command to listen attentively.

Upon deeper examination, the contradiction between the two verses can be harmonized through the method of *al-jam' wa al-tawfīq* (reconciliation and harmonization). Surah al-Muzzammil (73:20) encourages reciting whatever is manageable from the Qur'an during prayer, depending on one's ability and memorization. In contrast, Surah al-A'rāf (7:204) emphasizes proper etiquette—namely, listening attentively and reverently when the Qur'an is being recited, whether within or outside prayer. Accordingly, the imam is encouraged to recite verses that are easily memorized, while the ma'mūm should listen attentively and focus on their individual obligations, such as reciting Surah al-Fātiḥah. This understanding demonstrates that the two verses are not contradictory; rather, they complement each other in the context of the performance of ṣalāh (ritual prayer).

Resolving *Taʿāruḍ al-Adillah* in Criminal Law (Jināyah)

*Jināyah* law is a component of the Islamic legal system that governs various forms of criminal acts committed by individuals who meet the criteria of *mukallaf* (legally accountable persons), along with the corresponding sanctions (Az-Zuhaili, 1998). The primary objectives of this legal domain are to preserve human life, protect property, safeguard dignity, and ensure fundamental human rights (Audah, 1985). Within the structure of Islamic law, *jināyah* falls under the category of public law, which is comparable to criminal law in modern legal systems (Mudzhar, 1998). One commonly cited case of perceived contradiction within *jināyah* law lies in the apparent divergence between Surah al-Tawbah, verse 36 and verse 29 of the same chapter.

اِنَّ عِدَّةَ الشُّهُوْرِ عِنْدَ اللّٰهِ اثْنَا عَشَرَ شَهْرًا فِيْ كِتٰبِ اللّٰهِ يَوْمَ خَلَقَ السَّمٰوٰتِ وَالْاَرْضَ مِنْهَآ اَرْبَعَةٌ حُرُمٌ ۗذٰلِكَ الدِّيْنُ الْقَيِّمُ ۙ فَلَا تَظْلِمُوْا فِيْهِنَّ اَنْفُسَكُمْ وَقَاتِلُوا الْمُشْرِكِيْنَ كَاۤفَّةً كَمَا يُقَاتِلُوْنَكُمْ كَاۤفَّةً ۗوَاعْلَمُوْٓا اَنَّ اللّٰهَ مَعَ الْمُتَّقِيْنَ

*Indeed, the number of months with Allah is twelve [lunar] months in the register of Allah [from] the day He created the heavens and the earth; of these, four are sacred. That is the correct religion, so do not wrong yourselves during them. And fight against the polytheists collectively as they fight against you collectively. And know that Allah is with those who fear Him.* (QS At-Taubah (9): 36)

This verse highlights the theological deviation of the polytheists, who would manipulate the Hijri calendar by altering the sequence or number of months in a year

according to their own interests. Allah affirms that the number of months in a year is twelve, as decreed since the creation of the heavens and the earth. Among these are four sacred months (*al-ashhur al-ḥurum*): Dhū al-Qaʿdah, Dhū al-Ḥijjah, Muḥarram, and Rajab. These months hold special sanctity and must be honored accordingly. During these months, Muslims are forbidden from engaging in transgressive acts, including sin and hostility, and are encouraged to increase their piety and righteous deeds. However, if the polytheists initiate warfare during these sacred months, Muslims are commanded to defend themselves and respond to the aggression, regardless of the timing.

This instruction appears to contradict another verse in the same chapter:

قَاتِلُوا الَّذِيْنَ لَا يُؤْمِنُوْنَ بِاللّٰهِ وَلَا بِالْيَوْمِ الْاٰخِرِ وَلَا يُحَرِّمُوْنَ مَا حَرَّمَ اللّٰهُ وَرَسُوْلُهٗ وَلَا يَدِيْنُوْنَ دِيْنَ الْحَقِّ مِنَ الَّذِيْنَ اُوْتُوا الْكِتٰبَ حَتّٰى يُعْطُوا الْجِزْيَةَ عَنْ يَّدٍ وَّهُمْ صٰغِرُوْنَ

*Fight those who do not believe in Allah or the Last Day and who do not consider unlawful what Allah and His Messenger have made unlawful and who do not adopt the religion of truth from those who were given the Scripture until they give the jizyah willingly while they are humbled.* (QS At-Taubah (9): 29)

This verse refers to the *Ahl al-Kitāb* (People of the Book), though not in the general sense often found elsewhere in the Qur'an. In some contexts, they are also grouped with polytheists. The verse commands Muslims to fight the *Ahl al-Kitāb* who refuse to pay *jizyah*, a form of tax levied on them in return for protection and public services provided by the Islamic state (Zahrah, 1957).

The perceived contradiction between these verses can be reconciled through the interpretive approach of *takhṣīṣ* (specification of a general meaning) and *majāz* (figurative or metaphorical interpretation) (Az-Zuhaili, 2005). In this case, *takhṣīṣ* is prioritized, as it provides a clearer and more definitive application of the law. This is because general verses remain open to a broad range of interpretations, whereas *takhṣīṣ* narrows the interpretive scope and directs understanding toward a more specific and precise meaning. Conversely, *majāz* tends to be broader and may create uncertainty due to its openness to multiple meanings, often requiring additional contextual analysis (Zaidan, 1996).

According to al-Shawkānī, if no clear indicator (*qarīnah*) is present to suggest a limitation of meaning (*takhṣīṣ*), then the interpretation must adhere to the general wording of the text as it stands (Al-Syaukani, 1999).

In the context of modern positive law, this approach aligns with legal argumentation techniques used when statutes or regulations are ambiguous, open to multiple interpretations, or insufficiently clear. Under such conditions, methods of

interpretation and legal reasoning are necessary to attain clarity and legal certainty, which are essential for resolving legal disputes fairly and systematically (Mertokusumo, 1987).

Resolving *Taʿāruḍ al-Adillah* in the Context of *Ahwāl al-Shakhṣiyyah* (Family Law)

The term *al-Aḥwāl al-Shakhṣiyyah* refers to the entire body of legal rules that govern family matters and Islamic judicial institutions, encompassing issues such as marriage law, inheritance, wills, and matters related to the Religious Courts (Az-Zuhaili, 1985). Initially, these topics were dispersed across various chapters in classical *fiqh* literature. However, since the mid-19th century, all aspects of law pertaining to family matters began to be consolidated into a distinct field of study known as *al-Aḥwāl al-Shakhṣiyyah* (Personal Status Law) (Nasir, 2002). In the Qur'an, there are several verses addressing issues of family law. Some of these appear to present contradictions, such as the differing implications found between Surah al-Baqarah (2): 234 and Surah al-Ṭalāq (65): 4.

وَالَّذِيْنَ يُتَوَفَّوْنَ مِنْكُمْ وَيَذَرُوْنَ اَزْوَاجًا يَّتَرَبَّصْنَ بِاَنْفُسِهِنَّ اَرْبَعَةَ اَشْهُرٍ وَّعَشْرًا ۚ فَاِذَا بَلَغْنَ اَجَلَهُنَّ فَلَا جُنَاحَ عَلَيْكُمْ فِيْمَا فَعَلْنَ فِيْٓ اَنْفُسِهِنَّ بِالْمَعْرُوْفِ ۗ وَاللّٰهُ بِمَا تَعْمَلُوْنَ خَبِيْرٌ

*Those among you who die and leave behind wives — they [the widows] shall wait [observe an 'iddah] for four months and ten days. When they have fulfilled their term, there is no blame upon you for what they do with themselves in an appropriate manner. And Allah is All-Aware of what you do.* (QS al-Baqarah (2): 234)

This verse outlines the waiting period (*'iddah*) for a woman whose husband has died. In this case, a widow is required to observe a waiting period of four months and ten days. The objective of this period is to ensure that she does not hastily move on from her deceased husband, to avoid excessive outward expressions of joy, and to prohibit her from accepting marriage proposals during this time. After completing the waiting period, the woman is permitted to resume normal activities such as adorning herself or remarrying, without being deemed sinful (Shihab, 2002).

However, this seems to contradict another verse.

وَالّٰۤـِٔيْ يَىِٕسْنَ مِنَ الْمَحِيْضِ مِنْ نِّسَاۤىِٕكُمْ اِنِ ارْتَبْتُمْ فَعِدَّتُهُنَّ ثَلٰثَةُ اَشْهُرٍۙ وَّالّٰۤـِٔيْ لَمْ يَحِضْنَ ۗ وَاُولٰتُ الْاَحْمَالِ اَجَلُهُنَّ اَنْ يَّضَعْنَ حَمْلَهُنَّ ۗ وَمَنْ يَّتَّقِ اللّٰهَ يَجْعَلْ لَّهٗ مِنْ اَمْرِهٖ يُسْرًا

*As for those of your women who no longer menstruate, if you are in doubt, their 'iddah is three months, and also for those who do not menstruate [due to young age]. And for those who are pregnant, their waiting period is until they deliver their burden. And whoever fears Allah — He will make his matter easy for him.* (QS. al-Thalaq (65): 4)

This verse regulates the waiting period according to different conditions of women, with varying durations based on their particular circumstances. Previously, another verse had addressed the *'iddah* for women undergoing divorce who are still menstruating, in cases where the possibility of reconciliation remains. This verse, however, stipulates that post-menopausal women must observe an *'iddah* of three months. For pregnant women, the waiting period ends upon childbirth, whether the separation was due to death or divorce, and regardless of whether the husband was Muslim or non-Muslim.

The majority of scholars from the *Ahl al-Sunnah* hold that the differing content of these two verses does not represent a direct contradiction, but rather, they complement each other. Therefore, the resolution is achieved through the method of *tarjīḥ* (preference), since both verses address the same legal issue the waiting period of women aimed at preventing lineage confusion (*ikhtilāṭ al-ansāb*) (Zaidan, 1996). For widows, the standard waiting period is four months and ten days. However, if the woman is pregnant, the *'iddah* ends with childbirth.

According to Muḥammad Abū Zahrah, these two verses are not in absolute contradiction. If they appear to differ, the resolution can be approached through *al-tawfīq* (reconciliation) (Zahrah, 1985). In this context, the method of *takhṣīṣ* (specification of general meaning) is applied to clarify the intended meaning of each verse. The first verse outlines the general rule for a widow's waiting period four months and ten days. The second verse offers a specific ruling for pregnant women, whose waiting period ends upon childbirth. Thus, the first verse serves as a general directive, while the second provides an exception for cases involving pregnancy.

A compromise between these two verses involves adopting the longer of the two waiting periods. In other words, if a pregnant widow gives birth before completing the four months and ten days, she must still wait until that period is completed. Conversely, if that period elapses before she delivers, she must continue her *'iddah* until childbirth (Khallaf, 2002).

Meanwhile, Wahbah al-Zuḥaylī argues that although the two verses may appear contradictory, the contradiction can be resolved through the method of *naskh* (abrogation) (Az-Zuhaili, 2005). In this view, the first verse establishes a general rule regarding the four-month-and-ten-day *'iddah* for widows, without distinguishing whether they are pregnant. The second verse, revealed later, specifically stipulates that the *'iddah* for pregnant women ends at childbirth, regardless of the reason for separation. Thus, according to the majority of scholars, the second verse abrogates the ruling implied in the first.

When a conflict arises between a general (ʿām) and a specific (khāṣṣ) legal text, Islamic scholars propose several approaches to resolve it, generally grouped into three key scenarios.

*First*, if the specific text appears after the general text or its application is delayed due to necessity, many scholars—including al-Āmidī, al-Shawkānī, and al-Qāḍī ʿAbd al-Wahhāb—consider the specific text as an *abrogator* (*nāsikh*) of the general one (Zaidan, 1996; Al-Amidi, 1984). However, the majority of Shāfiʿī, Mālikī, Ḥanbalī, Ahl al-Ḥadīth, Shīʿah, and Ẓāhirī scholars argue that such conflicts can be reconciled (*al-jamʿ*), as the general text can still be interpreted in light of the specific, which merely narrows its scope. In this sense, the khāṣṣ serves as clarification, not contradiction. Conversely, Ḥanafī scholars, along with al-Bāqillānī, Imām al-Ḥaramayn, Imām Aḥmad, and Abū Bakr al-Rāzī, assert that a specific text does not automatically restrict a general one without a strong contextual indicator (*qarīnah*). Some Muʿtazilah even claim that a later khāṣṣ functions as an abrogator rather than a specifier (Al-Baqillani, 1993; Al-Barzanji, 1996).

*Second*, if the specific text precedes the general text, all schools agree that the later general text can abrogate the earlier specific one, as clarification after implementation is generally impermissible unless minor or non-binding (Zahrah, 1985). Three approaches appear here: (1) the majority of jurists and uṣūl scholars hold that both texts can be harmonized, with the specific clarifying the general; (2) Abū Ḥanīfah, al-Qāḍī ʿAbd al-Jabbār, and al-Juwaynī allow the general text to abrogate the specific if no contextual indicator exists; (3) some Muʿtazilah adopt *tawaqquf* (suspension of judgment) due to uncertainty (Al-Barzanji, 1996). A common example is the case of *ʿiddah*: a widow observes four months and ten days, but if pregnant, the waiting period lasts until childbirth—demonstrating reconciliation through specification.

*Third*, the presence of a *qarīnah* plays a decisive role in resolving these conflicts. The majority view (Shāfiʿī, Mālikī, Ḥanbalī, and Shīʿah Imāmī) sees ʿām and khāṣṣ as integrative rather than contradictory, with specific texts acting as delimiters (Khallaf, 2002). However, some Ḥanafī scholars prefer *tarjīḥ* (preference) or alternative evidences when conflicts persist. If a supporting *qarīnah* exists, a later khāṣṣ may restrict the ʿām; if chronology is clear, the khāṣṣ may abrogate the general text (Al-Barzanji, 1996).

## CONCLUSION

This study has compared the various approaches employed by the four major Sunni Islamic legal schools—Hanafī, Mālikī, Shāfiʿī, and Ḥanbalī—in resolving cases where legal evidences (dalīl sharʿī) appear to be in conflict (taʿāruḍ al-adillah). Despite

differences in their methodologies, such as when to apply *tarjīḥ* (preferring one evidence), *naskh* (abrogation), or *al-jamʿ wa al-tawfīq* (harmonization), all schools fundamentally aim to preserve the integrity and authority of religious evidences and maintain consistency in Islamic law.

The diversity of these methods highlights the richness and adaptability of Islamic legal thought in addressing various life circumstances. However, this research also identifies certain limitations inherent in each classical method. For instance, *tarjīḥ* may be prone to subjectivity, *naskh* raises serious theological questions, and *al-jamʿ wa al-tawfīq* can sometimes result in less natural interpretations. In light of these issues, modern approaches that take into account historical context, ethical considerations, and the social impact of texts—such as the "double movement" hermeneutic proposed by Fazlur Rahman—have become increasingly relevant. Rahman's approach emphasizes moral coherence and the higher objectives of Islamic law (*maqāṣid al-sharīʿah*) rather than mere textual preference.

The findings of this study are particularly significant for the development of Islamic family law in Indonesia. Family law in Indonesia, largely governed by the *Compilation of Islamic Law* (Kompilasi Hukum Islam, or KHI), is heavily based on classical Islamic legal interpretations. By understanding the various methods for resolving *taʿāruḍ al-adillah*, legal scholars and policymakers in Indonesia are equipped with a robust framework for addressing contemporary legal cases in which evidences appear conflicting and are not explicitly addressed in classical texts. This comparative approach allows for the adoption of the most contextually appropriate and justice-oriented method in formulating or revising family law regulations. Thus, the reform of family law can progress in a way that remains faithful to the intellectual richness of Islamic tradition while also meeting the evolving needs of Indonesian society.

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