

THE DYNAMICS OF THE MEANING OF THE TERM *AL AMR* IN ITS DESIGNATION AND APPLICATION IN NASH AND ITS LEGAL IMPLICATIONS

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ABSTRACT

This study analyzes the dynamics of the meaning of the term al amr or command in the context of its designation and application in Islamic scriptural texts and its implications for legal rulings. Although there have been many studies on al amr, in-depth studies on the variations in meaning based on linguistic, historical, and socio-cultural contexts and their legal implications are still limited. The research questions are: how does the meaning of al-amr vary in different contexts of texts, and what are the legal implications of different interpretations of al-amr? This study uses a qualitative method with a normative-juridical approach through textual analysis of verses of the Qur'an and hadiths that contain shighat al-amr. The results of the study show that the meaning of al-amr is contextual and variable, depending on the form of shighat, contextual indicators, and socio-historical context. The legal implications include wajib, sunnah, mubah, or irsyad, which require comprehensive interpretation to maintain the relevance and fairness of the application of Islamic law in a contemporary context.

Keywords: *al amr, Nash, Islamic Law, Ushul Fiqh.*

INTRODUCTION

Islam is regarded as a complete and perfect religion because it regulates all aspects of its followers' lives, especially those related to faith, law, and morals. All of these regulations can be traced through an in-depth study of the Qur'an and Sunnah.

The Qur'an was interpreted and explained by the Prophet Muhammad, through his words and deeds, which are collectively known as the Sunnah. At that time, Arab society did not need specific rules or *istinbat* to confirm the law, nor did they need additional rules or *qawa'id* to understand their language, namely Arabic.

In Islam, the Arabic word *al amr*, which means "command," plays a central role in Islamic religious texts, especially in the Qur'an and hadith. A proper understanding of the meaning and application of *Al amr* is very important, as it has direct implications for the interpretation of Islamic law and the religious practices of Muslims.

The word *al amr* is also often used in the Qur'an and hadith to convey commands or instructions from Allah and His Messenger to Muslims. These commands cover various aspects

of life, from worship to social interaction. However, the meaning and application of *al amr* are not always straightforward; it can indicate an obligation, a recommendation or sunnah, or even just information or news, depending on the context and fiqh rules used.

With the existence of activities to understand/interpret the Qur'an, rules are needed to avoid misinterpretation, because in the Qur'an we often encounter the miracle of the Qur'an being about language. The language of the Qur'an differs from that of modern legislation, as the Qur'an's legislation is not limited to commands, prohibitions, and their legal consequences, but is often intertwined with moral appeals to awaken individual consciousness. These appeals can take the form of persuasion ¹

Commands or *Al amr* and prohibitions *nahi* play a central role in Islamic law. *Al amr* refers to commands to carry out obligatory or recommended actions, while *nahi* refers to prohibitions to avoid things that are forbidden or disliked. An accurate understanding of the application of *Al amr* in *nahs* in the lives of Muslims has important implications for the proper implementation of Islamic law. In addition, these prohibitions are an essential aspect in the process of formulating fatwas, enforcing laws, and performing worship and muamalah. This study contains a description of the rules related to *Al amr*, *nahs*, and their relationship with other legal and ritual aspects.

RESEARCH METHOD

The research method used in this article is a qualitative approach with textual analysis of the verses of the Qur'an and hadiths that contain the command *al amr*. This approach will consider the historical, linguistic, and socio-cultural contexts to understand the intended meaning.

In addition, this study will compare various interpretations of fiqh scholars to identify differences and find common ground in the application of *Al amr*. This study uses a *library research* approach using written materials such as journals, books, and other accurate references.

¹ Heni Julaika Putri dan Alwizar Alwizar, "Kaedah Tafsir: Memahami Amar, Nahi, dan Sighat Taklif dalam Al-Qur'an," *Hamalatul Qur'an : Jurnal Ilmu Ilmu Alqur'an*, 5.2 (2024), 658–69 <<https://doi.org/10.37985/hq.v5i2.376>>.

RESULTS AND DISCUSSION

One of Allah SWT's provisions relating to the actions of people who are obliged to obey or mukallaf in the form of participation or *iqtidha'* is a requirement in the form of a command. In usul fiqh terminology, this command is called as *Al-Amr*. Therefore, in order to understand the formation of Sharia law accurately and precisely, the rules of usul fiqh are essential. Among them, taklifi law, which applies the rules of usul fiqh, is the requirement of *Al amr*.

A comprehensive understanding of the concept of *al amr* requires analysis from two perspectives, namely etymologically or linguistically and terminologically in terms of technical terms in usul fiqh. These two perspectives complement each other in providing a complete picture of the meaning and implications of *al amr* in the establishment of Islamic law.

1. Definition of *Al-Amr*

Etymologically, the term *al-amr* (الأمر) in Arabic has several interrelated meanings. The first meaning is "command" or "instruction," which indicates a demand from the authority to the subject to perform an action.¹ The second meaning is "affair" or "matter," as in the words of Allah in QS. Al-Baqarah/2:210:

هَلْ يَنْظُرُونَ إِلَّا أَنْ يَأْتِيَهُمُ اللَّهُ فِي ظُلَلٍ مِنَ الْعَمَامِ وَالْمَلِكَةِ وَقُضِيَ الْأَمْرُ ۗ وَإِلَى اللَّهِ تُرْجَعُ الْأُمُورُ ۗ

Translation:

“and to Allah all matters are returned”

The third meaning is the opposite of *al-nahy* or prohibition, so that *al amr* is understood as the antonym of prohibition in the context of taklifi law.² Ibn Manzhur in *Lisan al Arab* explains that the root word *amara-ya'muru-amran* contains the meaning of commanding, assigning, and obligating something to another person.³

Terminologically, scholars of usul al-fiqh from various schools of thought have formulated definitions of *al-amr* with varying wording but relatively similar substance. In this case, there are differences in wording that arise due to differences in methodology and emphasis on certain aspects of the concept of *al-amr*. Imam al-Ghazali, an important figure in the Shafi'i school of thought in the field of usul al-fiqh, defines *al-amr* as a demand to perform an action by uttering words that are arranged to indicate the demand from a higher

² Muhlish Usman, *Kaidah-Kaidah Ushuliyah dan Fiqhiyah: Pedoman Dasar dalam Istibath Hukum Islam* (Cet. II; Jakarta: PT. Raja Grafindo Persada, 1997), h. 13.

³ Muhammad ibn Mukarram ibn Manzhur, *Lisan al-'Arab* (Beirut: Dar Shadir, 1414 H), juz. 4, h. 29.

authority to a lower authority or *istid'a' al-fi'l bi al-qawl 'ala jihat al-istila' min al-a'la ila al-adna*.⁴ This can be understood to emphasize three important elements, namely the existence of a demand for action, the use of specific words, and the hierarchy between the giver of the command and the one being commanded.

Meanwhile, Hanafi scholars, represented by al-Bazdawi in his work *Kashf al-Asrar*, provide a slightly different definition, namely words that demand an action from another person by asking or *al-qawl al-mustadil li al-fi'l min al-ghair 'ala jihat al-thalab*.⁵ The Hanafi definition emphasizes the aspect of request or *thalab* without strictly requiring a difference in status between the commander and the commanded. This has practical implications in the application of law, especially in cases where the command comes from an equal or even from a subordinate to a superior in certain contexts.

Al Amidi, a highly influential figure in Shafi'i usul al-fiqh, in his book *al-Ihkam fi Ushul al-Ahkam*, formulated a more comprehensive definition of *al amr*, namely a statement that contains a demand to perform a certain action using a shighat or form of wording that has been conventionally established for that purpose in the Arabic language. 's definition also adds an important linguistic dimension, namely the use of shighat, which is conventionally understood as a form of command in the Arabic language tradition.

Al-Syatibi in *al-Muwafaqat* explains that maqashid or the objectives of sharia in understanding *al amr* state that every command in sharia has the objective of *mashlahah* (benefit) for mukallaf, both in this world and in the hereafter.⁶ Therefore, the understanding of *al amr* should not be literalist, but must consider the wisdom and purpose behind the command. This is very relevant in dealing with contemporary issues that are not explicitly mentioned in the text, but can be analogized or analogized with existing commands based on similarities *in 'illat* or legal reasons and maqashid.⁷

Simply put, *al amr* linguistically comes from the word meaning order, command, and action. Meanwhile, in terms of terminology, it refers to a demand for action from a superior to a subordinate, which contains the rules of legal inference. *Al amr* is a term used

⁴ Abu Hamid al-Ghazali, *Al-Mustashfa min 'Ilm al-Ushul* (Beirut: Dar al-Kutub al-'Ilmiyyah, 1993), juz. 2, h. 3.

⁵ Ali ibn Muhammad al-Bazdawi, *Kashf al-Asrar 'an Ushul Fakh al-Islam al-Bazdawi* (Beirut: Dar al-Kitab al-Islami, t.th.), juz. 1, h. 279.

⁶ Abu Ishaq al-Shatibi, *Al-Muwafaqat fi Ushul al-Shari'ah* (Kairo: Dar Ibn 'Affan, 1997), juz. 2, h. 17.

⁷ Abu Ishaq al-Shatibi, *Al-Muwafaqat fi Ushul al-Shari'ah* (Kairo: Dar Ibn 'Affan, 1997), vol. juz, h. 18-19.

by someone of higher status to demand that someone of lower status perform a certain action.⁸

2. Shigat (Forms) of *al amr*

Al amr or imperative sentences are one of the styles or linguistic styles used by the Qur'an to convey Allah's messages to humans. These commands are conveyed in various forms or *siighat* that convey meaning. This means that not all imperative sentences use *fi'lu al-amr*, but there are other forms as will be discussed. Because imperative sentences are used in the Qur'an, in order to understand the verses that use *the style of al-amr*, one needs to understand the rules or regulations of language related to the *siighat al- -amr*. *Al-amr*, as an *insya'iyah* sentence, contains guidance to the listener from a person of higher status to a person of lower status.

In the Qur'an, it means guidance from Allah to humans to do something. The command or *al-amr* is not only guidance to do something but also guidance to refrain from doing something. This means that *al-amr* or a command in the Qur'an covers two patterns, namely the command to do something and the command to refrain from doing something.

Understanding *shighat al-amr*, or the editorial forms of commands, is a fundamental aspect of the methodology of *istinbath* in Islamic law. The Qur'an and hadith, as the primary sources of sharia, do not always use the explicit imperative form *fi'il al-amr* to convey commands, but rather use a variety of linguistic forms that still contain the meaning of demand.⁹ This diversity of forms reflects the flexibility of the Arabic language and demonstrates the depth and richness of expression in the texts of Sharia. Scholars of *usul al-fiqh* have identified and classified the various *shighat* used in the Qur'an and hadith to express commands, each of which has its own characteristics and legal implications.¹⁰

Al-Zuhaili in *Ushul al-Fiqh al-Islami* explains that familiarity with *the various shighat al-amr* is very important because errors in identifying the form of a command can lead to errors in determining the law.¹¹ For example, not all sentences that use *fi'il mudhari'* or present tense verbs mean a command, but only those preceded by *lam al-amr* or have certain *qarinah*. Therefore, a deep understanding of Arabic linguistic structure and its context in the text of the Sharia is necessary. Mansur in *Ushul Fiqh II* emphasizes that

⁸ Yahya, *Dasar-Dasar Pembinaan Hukum Fiqh Islam* (Cet III, Bandung: PT Al-Ma'arif, 1993), h. 191

⁹ Wahbah al-Zuhaili, *Ushul al-Fiqh al-Islami* (Damaskus: Dar al-Fikr, 1986), juz. 1, h. 195.

¹⁰ Abdul Wahhab Khallaf, *Ilm Ushul al-Fiqh* (Kairo: Dar al-Qalam, 1978), h. 110.

¹¹ Wahbah al-Zuhaili, *Ushul al-Fiqh al-Islami* (Damaskus: Dar al-Fikr, 1986), juz. 1, h. 196.

mujtahids and mufassirs must master these various *shighat al-amr* in order to accurately derive legal rulings.¹²

a. *Fi'il Amr* as an Imperative Verb

The first and most obvious form of *sharih* in expressing a command is *fi'il al-amr* or the imperative verb. This form is *shighah ashliyyah* or the original form of a command that directly and explicitly demands the performance of an action without requiring additional *qarinah* to understand its meaning.¹³ The morphological structure of *fi'il al-amr* in Arabic is formed by taking *fi'il mudhari'* or the present verb, then removing the *mudhari'ah* letter at the beginning and replacing it with the appropriate *harakat*. For example, from *yaf'alu* he does to *if'al* do, or from *yadh-habu* he goes to *idh-hab* go.¹⁴

The Qur'an uses *fi'il al-amr* in various very important legal contexts. The most fundamental example is the command to establish prayer in QS. Al-Baqarah/2:43 Allah SWT says:

وَأَقِيمُوا الصَّلَاةَ وَآتُوا الزَّكَاةَ

Translation:

"And establish prayer and give zakat"

The words *أَقِيمُوا* *aqimu* and *آتُوا* *atu* are forms of *fi'il al-amr* which clearly indicate obligation and do not require additional interpretation. Similarly, in QS. Al-Ma'idah/5:6 Allah SWT says:

"O you who have believed, when you rise to prayer, wash your faces"

Translation

"O you who believe, when you rise to pray, wash your faces."

The word *فَاغْسِلُوا* *faghsilu* is a *fi'il al-amr* that requires wudhu before prayer.

In the context of hadith, the Prophet Muhammad (peace be upon him) also often used *fi'il al-amr* to convey commands, such as in the hadith: "Pray as you have seen me pray."¹⁵

¹² Mansur, *Ushul Fiqh II* (Jakarta: Direktorat Jenderal Pembinaan Kelembagaan Agama Islam Departemen Agama, 1986), h. 24.

¹³ Saif al-Din al-Amidi, *Al-Ihkam fi Ushul al-Ahkam* (Riyadh: Dar al-Shami'i, 2003), juz. 2, h. 161.

¹⁴ Muhammad Muhyi al-Din 'Abd al-Hamid, *Sharh Ibn 'Aqil* (Kairo: Dar al-Turath, 1980), juz. 3, h. 156.

¹⁵ Muhammad ibn Isma'il al-Bukhari, *Sahih al-Bukhari* (Beirut: Dar Thauq al-Najah, 1422 H), Kitab al-Adzan, Bab Adzan, hadith no. 631.

The word *صَلُّوا shallu* is an imperative form that commands the ummah to follow the Prophet's manner of praying. Khallaf explains that *the fi'il al-amr* in its pure *mujarrad* form without any *qarinah* that diverts its meaning automatically indicates an obligation (*wujub*) in accordance with the principles of *usul al-fiqh* that have been agreed upon by the majority of scholars.

b. The Present Tense Verb with the Lam of Command

The second form used to express a command is the *mudhari' verb* preceded by *lam al-amr* or the command *lam*. Linguistically, this form has the same commanding power as *the fi'il al-amr*, even though its morphological structure is different.¹⁶ *Lam al-amr* serves to change the meaning of *the mudhari' verb* from simply indicating an event in the present or future to a demand to carry out the action. The distinctive feature of *lam al-amr* is that it is a *lam* with a *kasrah* and is followed by a *fi'il mudhari'* that is *majzum sukun* or *hadhaf* at the end.¹⁷

Al-Amidi in *al-Ihkam* explains that the scholars of *nahwu* and *ushul* agree that *the fi'il mudhari'* with *lam al-amr* has the same strong meaning as *the fi'il al-amr* in indicating obligation, unless there is a *qarinah* that shifts it to another meaning.¹⁸ The difference between the two lies only in linguistic structure and stylistic nuances, not in their legal force. In fact, in some contexts, the use of *lam al-amr* provides a stronger emphasis of *ta'kid* due to its longer and more formal sentence structure.

c. *Isim Fi'il Amr* as a noun that means command

¹⁹The third form is *isim fi'il al-amr*, which is a noun that semantically means command even though morphologically it is not in the form of a verb. In classical Arabic, there are a number of words that are conventionally understood to have a commanding meaning even though their structure is that of a *noun*. Ibn Qudamah explains that this *isim fi'il* has unique characteristics because it combines the form of a noun with the verbal meaning of a *verb*, so that it can be used to express a command in a different style from the usual *fi'il al-amr*.²⁰

¹⁶ Al-Amidi, *Al-Ihkam fi Ushul al-Ahkam*, juz. 2, h. 163.

¹⁷ Abbas Hasan, *al-Nahw al-Wafi* (Kairo: Dar al-Ma'arif, 1975), juz. 4, h. 273.

¹⁸ Al-Amidi, *Al-Ihkam fi Ushul al-Ahkam*, juz. 2, h. 164.

¹⁹ Muwaffaq al-Din Ibn Qudamah, *Rawdhat al-Nazhir wa Jannat al-Munazhir* (Beirut: Muassasah al-Rayyan, 1996), juz. 1, h. 242.

²⁰ Muwaffaq al-Din Ibn Qudamah, *Rawdhat al-Nazhir wa Jannat al-Munazhir* (Beirut: Muassasah al-Rayyan, 1996), juz. 1, h. 242-243.

d. Mashdar replacing *Fi'il Amr* root word as a command

The use of *mashdar* or root words that syntactically replace the function of *fi'il al-amr*. In Arabic, *mashdar* is basically an abstract form of a verb that indicates an event or action without any indication of time. However, in certain contexts, *mashdar* can be used to express commands with very strong force, even stronger than the usual *fi'il al-amr* because the *mashdar* form gives an impression of absolutism and certainty.

The Qur'an uses this form in various verses that contain firm and absolute commands. A very clear example is the word of Allah in QS. Muhammad/47:4:

فَإِذَا لَقِيتُمُ الَّذِينَ كَفَرُوا فَضَرْبَ الرِّقَابِ

Translation:

"When you meet the disbelievers (on the battlefield), strike their necks."

The word فَضَرْبَ *fadharba* is the *mashdar* of the verb ضَرَبَ *dharaba*, which means to strike, and functions as a command. The use of *mashdar* in this case gives a very strong emphasis on the obligation to carry out the command in the context of defensive warfare.

Al-Shatibi in *al-Muwafaqat* provides an important note that although the *mashdar* can function as a command, its interpretation must consider the context of the verse as a whole and the objectives of the *maqashid* sharia. Not all *mashdar* in the Qur'an mean commands; *qarinah* is needed to indicate that the *mashdar* does indeed function as a substitute for *fi'il al-amr*.²¹

e. A *khbariyyah* sentence that means *amr* as news means a command.

The fifth form, which requires the most in-depth contextual analysis, is the use of *khbariyyah* or declarative sentences that are semantically and pragmatically meaningful as commands. Linguistically, these sentences take the form of statements or information *ikhbar*, but their actual meaning is a demand to perform an action *insya' thalabi*. This form demonstrates the depth and complexity of the Arabic language, in which meaning does not always correspond to the formal

²¹ Abu Ishaq al-Shatibi, *Al-Muwafaqat fi Ushul al-Shari'ah* (Cairo: Dar Ibn 'Affan, 1997), juz. 3, h. 87.

structure of the sentence. Al-Amidi explains that the ability to identify *khobar* that means *amr* is one of the higher competencies in the science of ushul fikih.²²

The Qur'an often uses this form to convey commands in a more subtle but still binding way. A classic example is the word of Allah in QS. Al-Baqarah/2:228:

وَالْمُطَلَّاتُ يَتَرَبَّصْنَ بِأَنْفُسِهِنَّ ثَلَاثَةَ قُرُوءٍ

Translation

"Women who are divorced shall wait three menstrual cycles."

Literally, this sentence is in the form of *khobar* or news stating that divorced women "wait for three quru'", but the meaning is that it is mandatory for them to observe 'iddah for three quru'. The use of *the khobar* form here gives a stronger sense of legal certainty, as if it were an established fact.

In this case, the *khobar* also carries the meaning of *amr (command)* if the context of the verse discusses obligations or prohibitions, if there are indications of reward for those who do it or punishment for those who abandon it, and if the practices of the companions and salaf indicate an understanding that it is a command.

3. Implications of the designation of the text as *an imperative*

In this case, it can be understood that if the command contains *qarinah* that can change other provisions, then *al amr* does not indicate an obligation but rather indicates *sunnah*. Abu Hasyim and the majority of the *Mu'tazilah* and *fiqh* scholars have determined that basically *Al amr* indicates *sunnah* or recommendation or *nadab* based on the original rule or meaning in the command, which is to indicate a recommendation or *nadab*.²³

As Allah SWT says in QS. An-Nur/24:33

Those who cannot afford to marry should remain chaste until Allah enriches them from His bounty. If your female slaves desire a contract, then make a contract with them if you know there is good in them. Give them part of the wealth that Allah has bestowed upon you. Do not force your female slaves into prostitution if they desire chastity, for you seek the gain of this world. Whoever forces them, then indeed Allah is Forgiving and Merciful (to them) after they have been forced.

²² Al-Amidi, *Al-Ihkam fi Ushul al-Ahkam*, juz. 2, h. 168

²³ Muhliah Usman, *Kaidah-Kaidah Ushuliyah Dan Fiqhiyah Pedoman Dasar Dalam Istimbath Hukum Islam*, Ed.I (Cet.II; Jakarta : PT. Raja Grafindo Persada, 1997), h.15.

The command of mukatabah or the freeing of slaves is not binding, but only a recommendation. If it is carried out, the perpetrator will receive reward for that good deed, while if it is abandoned, it does not incur sin. This is because such an agreement is essentially one of the mechanisms in Islam to gradually abolish the practice of slavery in the past, where a slave owner was given the opportunity to show generosity or compassion towards his servants. In general, *al amr* commands can be obligatory, such as the obligation to pray five times a day, or sunnah/recommended or nadb, such as the dhuha prayer.

Thus, it can be understood that the issue of immediacy or postponement in carrying out the demands of *al-amr* must be viewed in terms of whether or not there is a connection between the demand and time, because sometimes it is connected to time and sometimes it is not, such as performing the five daily prayers, which must be done at the appointed time.

CONCLUSION

The basic concept of the term *al amr* in Islamic legal terminology refers to an obligation or *duty*, namely the requirement to carry out a predetermined action. When Allah Subhanahu wa Ta'ala gives a command to His servants, it indicates an obligation to obey and implement the command in question.

In principle, *al amr* has legal implications of obligation. However, this provision can undergo a change in meaning if *al amr* is no longer absolute. This change occurs when there are contextual indicators or *qarinah* that shift the legal status from obligation to other legal categories, such as sunnah (recommended) or mubah (permissible).

Thus, the meaning of *al amr* is contextual and variable, requiring careful and adaptive interpretation. Therefore, a dynamic interpretation of *al amr* is important to maintain justice and the sustainability of Islamic law in various social and cultural contexts.

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