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Prophet Muhammad's Legal Politics; A Review of Islamic Legal on the Leadership of the Prophet

Umar Bensheikh^{1*}, Feri Eko Wahyudi², Muh Yunus³

¹McGill University – Institute of Islamic Studies, Montreal Canada. E-mail: umarbensheikh@gmail.com

²Institut Agama Islam Negeri Palopo, Indonesia. E-mail: feri@iainpalopo.ac.id

³ Institut Agama Islam Negeri Palopo, Indonesia. E-mail: muh.yunus@iainpalopo.ac.id

*Corresponding Author

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Abstract

In the review of Islamic legal, Prophet Muhammad's politics is an exciting theme to be studied more deeply. The Prophet Muhammad SAW was referred to as *Ummī* (illiterate), reinforcing the notion that the Prophet was not intelligent and capable. A qualitative method was conducted to prove how the *Ummī* Prophet was smart, trustworthy, full of wisdom, respected, and legally competent. In some of the legal provisions, Prophet PBUH presented a solution to the *ilā ākhīr al-zamān*, where the concept of social justice in upholding human rights was aggressively debated. Several requirements of the Prophet Muhammad's *sunnah*, which obliged males to defend women and their rights, was established fourteen centuries ago. Likewise, the concept of tolerance and interfaith relations have been initiated. In addition to being a historical leader, the Prophet was once a judge in an infidel dispute and was regarded as a knowledgeable communal figure. Prophet SAW was given the authority to establish new laws for specific issues through *sunnah* on matters not determined by their legal provisions in the Qur'an.

Keywords:

Islamic Legal; Prophet Muhammad PBUH; *Rasulullah*; Leadership.

Abstrak

Politik hukum Nabi Muhammad saw., dalam tinjauan hukum Islam merupakan suatu tema yang menarik untuk dikaji lebih dalam. Nabi Muhammad saw., dikenal sebagai Nabi yang *Ummī*, sehingga memunculkan paradigma bahwa sang Nabi bukanlah seorang yang cerdas dan cakap hukum. Metode penelitian yang digunakan adalah kualitatif. Penelitian ini bertujuan untuk membuktikan betapa Nabi yang *Ummī* tersebut adalah seorang yang cerdas, amanah, penuh kebijaksanaan, disegani lagi cakap hukum. Bahkan Nabi saw., dalam beberapa ketetapan hukumnya ternyata menyajikan solusi *ila akhir al-zaman*. Konsep

keadilan sosial dalam rangka menegakkan hak asasi manusia, khususnya hak asasi kaum wanita- yang begitu gencar diperdebatkan ternyata 14 abad silam telah digagas oleh Rasulullah saw., melalui beberapa ketetapan sunnahnya yang mewajibkan kaum laki-laki untuk melindungi kaum wanita beserta hak-haknya. Demikian pula dengan konsep toleransi dan hubungan lintas agama yang kesemuanya telah digagas oleh Rasulullah saw. Selain sebagai pemimpin kaum muslimin, dalam sejarah Nabi saw., juga pernah menjadi hakim dalam suatu persoalan yang dialami oleh kaum kafir dan dianggap sebagai tokoh masyarakat yang bijak kala itu. Bahkan Nabi saw., juga diberi kewenangan dalam menetapkan hukum baru bagi persoalan tertentu melalui sunnahnya terhadap persoalan yang tidak ditetapkan ketetapan hukumnya dalam al-Qur'an.

Kata Kunci:

Hukum Islam; Nabi Muhammad saw; Rasulullah; Kepemimpinan.

1. Introduction

In its development, Islamic law experiences internal and external modernization challenges.¹ The concepts and thoughts of the modernists are seen as having exceeded some of the provisions of Islamic law.² Some modernist thinkers even opposed the Qur'an, which asserts, "*men are leaders for women*" because all humans have the right to be leaders, whether leaders in the family or society.³ There is no need to distinguish whether they are male or female.⁴ Indeed, they are human beings and creatures with equal rights and obligations.

It is not enough to face one problem. Other problems also arise along with the development of thought. Some of them have different points of view in understanding the Prophet.⁵ On the one hand, some understand the *sunnah* as a legal stipulation of the Prophet,⁶ which must be followed. Furthermore, on the other side, they think the Prophet is an ordinary human whose legal provisions cannot be followed.

¹ Sriyanto, "Modernism Of Islam , A Descriptive Historical Analysis," in *International Conference the Community Development in ASEAN*, 2017, 745–61, https://mpsi.umm.ac.id/files/file/745_Modernism Of Islam, A Descriptive Historical Analysis.pdf.

² Ismail Albayrak, "Modernity, Its Impact on Muslim World and General Characteristics of 19–20th-Century Revivalist–Reformists' Re-Reading of the Qur'an," *Religions* 13, no. 5 (2022): 424, <https://doi.org/10.3390/rel13050424>.

³ Nurhadi, "Woman Searching for Family Nafkah in Islamic Economic Views," *Al-Tahrir Jurnal Pemikiran Islam* 19, no. 2 (2019): 299–321, <https://doi.org/10.21154/altahrir.v19i2.1713>.

⁴ Amir Kia, "The Concept of Responsibility of Men and Women in Islam," *Arts & Humanities Open Access Journal* 3, no. 5 (2019): 247–51, <https://doi.org/10.15406/ahoaj.2019.03.00137>.

⁵ Murat AĞARI, "Prophet Muhammad and His Two Different Roles as a Prophet and Historical Personality Hz . Muhammed ve Onun Peygamber ve Tarihsel Bir Ki ş İlik Olarak İ Ki Farkl ı Rolü," *Gaziantep University Journal of Social Sciences* 12, no. 1 (2013): 49–67, <https://dergipark.org.tr/tr/download/article-file/223304>.

⁶ Recep Dogan, "Conflict Resolution Forms in the Life of Prophet Muhammad," *The International Journal of Religion and Spirituality in Society* 4, no. 2 (2014): 9–19, <https://doi.org/10.18848/2154-8633/CGP/v04i02/51087>.

In another research, the theme of the title of *Ummī* was also raised to the Prophet,⁷ which was logically impossible for an *Ummī* to be appointed as a Prophet and Apostle.⁸ This issue then requires a historical study of who the Prophet Muhammad was and how his leadership career was in establishing the law.⁹

In carrying out his apostolic duties, the Prophet Muhammad appeared as a figure of an Islamic leader who was so formidable in the eyes of the world.¹⁰ The concepts of his thoughts in his sunnah establishing the law are shocking and worthy of emulation. Therefore, the researcher attempted to describe some of the concepts of the Prophet's thoughts in determining the law through his sunnah during his leadership which he felt needed attention.

2. Methods

This is a qualitative study that employs a historical approach. The purpose of this study is to prove how the *Ummī* Prophet was smart, trustworthy, full of wisdom, respected, and legally competent. In some of his legal provisions, even the Prophet PBUH presented a solution to the *ilā ākhīr al-zamān*.

3. Result and Discussion

3.1. The Prophet as Judge of the Unbelievers (*Kafir*) during Pre-Islamic

Long before he was appointed as an Apostle, the Prophet had long lived side by side amid the pagans.¹¹ However, Muhammad's name as an orphan was also quite famous then.¹² It was evident from several narrations that told how noble the

⁷ Mehdy Shaddel, "Qur'ānic Ummī: Genealogy, Ethnicity, and the Foundation of a New Community," *Jerusalem Studies in Arabic and Islam* 43 (2016): 1–60, https://www.academia.edu/8811286/Qur_ānic_ummī_Genealogy_Ethnicity_and_the_Foundation_of_a_New_Community_Jerusalem_Studies_in_Arabic_and_Islam_43_2016_pp_1_60_.

⁸ Ruggero Vimercati Sanseverino, "Theology of Veneration of the Prophet Muḥammad," in *The Presence of the Prophet in Early Modern and Contemporary Islam* (BRILL, 2022), https://doi.org/10.1163/9789004466739_008.

⁹ Husnul Mirzal and Sri Yuyu Ninglasari, "Situational Leadership in Islam: An Analysis of the Leadership Model of the Prophet Muhammad," *Dialogia* 19, no. 1 (2021): 162–90, <https://doi.org/10.21154/dialogia.v19i1.2581>.

¹⁰ Muhammad Husni, "Integration of the Civil Society Development of the Prophet Muhammad; Historical Perspective," *Pappaseng: International Journal of Islamic Literacy and Society* 1, no. 1 (2022): 47–57, <https://doi.org/10.56440/pijils.v1i1.3>.

¹¹ Stanley Wilkin, *NARRATIVE OF MUHAMMAD, ICONOLOGY, PAGANS AND MECCA*, 2020.

¹² Hasan Aziz, "Did Prophet Mohammad (PBUH) Have Epilepsy? A Neurological Analysis," *Epilepsy and Behavior* 103 (2020): 106654, <https://doi.org/10.1016/j.yebeh.2019.106654>.

position of the Prophet Muhammad was among the pre-Islamic ignorant (*jahiliyyah*) Arabs¹³ until he was given the title al-Amin, namely someone who could be trusted and held the trust.¹⁴

It is narrated that once during the lifetime of the Prophet Muhammad before he was appointed a prophet.¹⁵ There was a great flood from the desert, which resulted in the collapse of the Kaaba building. This incident ultimately prompted the Arab people of Mecca to rebuild the Kaaba through a reasonably stressful deliberation because the Kaaba is a building that is considered sacred by Arab society.¹⁶ After an agreement was made to renovate the Kaaba building, the Kaaba was rebuilt until the time for the stone laying of the Hajar al-Aswad in its place.¹⁷ The issue of laying the precious stone invited a debate between each tribe about who should place it. All the tribal representatives insisted on not giving in until a suggestion emerged that the one who had the right to decide on who was more appropriate to put the precious stone in its place was the first person to enter the door of Safa. Furthermore, that person was the Prophet, Muhammad.¹⁸ The community then agreed to ask the Prophet Muhammad for a decision because of the title of al-Amin he carried and accepted his decision.¹⁹

¹³ Aaron W. Hughes, "Past Perfect: Opening the Jāhiliyya's Complex Present," in *An Anxious Inheritance: Religious Others and the Shaping of Sunni Orthodoxy* (New York: Oxford Academic, 2022), <https://doi.org/10.1093/oso/9780197613474.003.0004>.

¹⁴ Sulaeman Sulaeman, "A REVIEW OF SERVANT AND TRANSFORMATIONAL LEADERSHIP STYLE IN ISLAMIC PERSPECTIVES : A LESSON FROM THE PROPHET MUHAMMAD (PBUH) A REVIEW OF SERVANT AND TRANSFORMATIONAL LEADERSHIP STYLE IN ISLAMIC PERSPECTIVES : A LESSON FROM THE PROPHET MUHAMMAD (PBUH)," *Nazharat* 26, no. 2 (2020), <https://doi.org/10.30631/nazharat.v26i02>.

¹⁵ Ahmad Riyadh Maulidi, "Moderate Behavior of Prophet Muhammad (PBUH) as a Role Model in Encountering Pluralism Moderate That Gus Mus Said , " Islam Is Moderate . If It Is Not Moderate , Islamic Texts Which Always Call for a Middle Attitude and Prohibit an (PBUH), Moderate Va," *International Journal Ihya' 'Ulum Al-Din* 23, no. 2 (2021): 152–72, <https://doi.org/10.21580/ihya.23.2.7213>.

¹⁶ David A. King, "The Sacred Direction in Islam A Study of the Interaction of Religion and Science in the Middle Ages," *Interdisciplinary Science Reviews* 10, no. 4 (2013): 315–28, <https://doi.org/10.1179/isr.1985.10.4.315>.

¹⁷ Syed Muhammad Raza Shabbar, "The Ka'aba, The House Of Allah," Al-Islam.org, n.d., <https://www.al-islam.org/story-holy-kaaba-and-its-people-smr-shabbar/kaaba-house-allah>.

¹⁸ Muhammad Zulfikar Rakhmat, "PROPHET MUHAMMAD SAW AS AN ADVOCATE FOR THE DISABLED COMMUNITY," Fakultas Psikologi dan Ilmu Sosial Budaya UII, n.d., <https://fpscs.uui.ac.id/blog/2020/08/14/prophet-muhammad-saw-as-an-advocate-for-the-disabled-community/>.

¹⁹ Andi Suwandi, "Commerce Ethics of Muhammad PBUH' and Universal Values in Era of Prophet Hood," *JESI (Jurnal Ekonomi Syariah Indonesia)* 7, no. 1 (2017): 49, [https://doi.org/10.21927/jesi.2017.7\(1\).49-60](https://doi.org/10.21927/jesi.2017.7(1).49-60).

The Prophet, in the end, made a wise decision that both parties accepted. He was able to quell the anger of the Quraysh infidels,²⁰ which almost ended in bloodshed, with a solution that the infidel group had never thought of before.²¹ The wisdom of the Prophet, in giving this decision, made him the judge of the Quraysh at that time.

3.2. Rasulullah PBUH as the Initiator of the Law of Tolerance between Religions

Before Islam's arrival, the people of the past had fanaticism toward their beliefs.²² These facts could be seen from the stories of the previous prophets who always received rejection from their people because they were considered to have different and distorted understandings. This phenomenon was also felt by the Prophet Muhammad, who received rejection from various parties in carrying out his apostolic mission.²³

However, the phenomenon of fanaticism was not popularized by the Messenger of Allah (Rasulullah PBUH) through his words and sunnah.²⁴ Even in one of his legal provisions, the Prophet Muhammad preferred to live side by side with adherents of other religions rather than fight against them. It could be seen from the decision of the Prophet Muhammad to make a peace agreement with the Jews during his hijra in Medina.²⁵ The agreement was frequently referred to as the Medina

²⁰ Tayseer K. Ibrahim, "Rulings of Mocking Prophet Mohammed Peace Be upon Him (PBUH)," *IUG Journal of Islamic Studies* 24, no. 1 (2016): 1–17, <https://doi.org/10.12816/0024543>.

²¹ Muhammad Ahmed Qadri, Suwaibah Qadri, and Lubnah Ahsan, "The Administration of Prophet Muhammad (PBUH) and Its Impact on the Contemporary States," *Journal of Philosophy, Culture and Religion* 17 (2016): 30–34, <https://core.ac.uk/download/pdf/234694755.pdf>.

²² Muhamad Ridwan Nurrohman, "Is It True That the Prophet Had Ever Had a Will before the Dying?: Historical Analysis and Analysis of Hadith Science on the Hadiths about Will," *International Journal of Nusantara Islam* 5, no. 1 (2017): 37–46, <https://doi.org/10.15575/ijni.v5i1.1384>.

²³ Acep Dani, "Hadith Selection Methods in the Study of Sirah Nabawiyyah (An Analysis of Shahih Sirah Nabawiyyah by Akram Dhiya Al-'Umari)," *International Journal of Nusantara Islam* 5, no. 2 (2018): 154–73, <https://doi.org/10.15575/ijni.v5i2.1741>.

²⁴ Qadri, Qadri, and Ahsan, "The Administration of Prophet Muhammad (PBUH) and Its Impact on the Contemporary States."

²⁵ Farhana binti Ideris and Öznur Özdemir, "Understanding Muslim - Jewish Relationship in Medina during the Era of Prophet Muhammad," *SIYER ARAŞTIRMALARI DERGİSİ THE JOURNAL OF SIRAH STUDIES*, no. December (2021), <https://dergipark.org.tr/en/download/article-file/2042123>.

Charter.²⁶ Through this agreement, Muslims accepted the existence of the Jews as a religion that coexisted with the Muslims. Some of the contents of the agreement stated that the Muslims and the Jews who were bound by the agreement must advise each other, do good and not do wrong, helping each other in protecting the city of mutual residence. If there was a dispute, then the law was returned to Allah and the Messenger of Allah. The agreement to live in harmony side by side between Muslims and adherents of other faiths was accepted with grace by both parties.

These historical facts taught Muslims to live in peace and mutual respect for the diversity of customs, cultures, and beliefs that existed in society as a necessity. However, it is miserable that some Muslims nowadays tend to be reluctant to accept the existence of other customs, cultures, and religious beliefs and always look at non-Muslim groups as black.

3.3. Rasulullah PBUH as a Judge Enforcer of Human Rights

The majority of the Arab population before the arrival of Islam was called the jahiliyyah community.²⁷ They were called jahiliyyah because they were foolish in some ways. Some examples of their ignorance (jahiliyyah) are:

1. A husband allowed his wife to have sex with a man who was considered to have superior seeds. Furthermore, the wife was forbidden to return home before becoming pregnant due to the relationship.
2. If a woman had intercourse with ten men and turned out to be pregnant and gave birth, then the woman had the right or was free to choose her child's father.

²⁶ Saïd Amir Arjomand, "The Constitution of Medina: A Sociolegal Interpretation of Muhammad's Acts of Foundation of the 'Umma,'" *International Journal of Middle East Studies* 4, no. 2009 (41AD), <https://doi.org/https://www.jstor.org/stable/40389306>.

²⁷ Not all pre-Islamic Arabs lived in ignorance and depraved morals. Some of the pre-Islamic Arab societies highly valued the nature of generosity. They were even willing to slaughter a camel to give to those who were starving. They highly upheld the nature of trust (keep promises), and they would rather kill their children or burnt their houses than broke promises. In some cases, women even proposed marriage conditions to their future husbands. It indirectly indicated an attitude of respect for men to women who were mostly trampled on by their rights and dignity. According to some experts, the pre-Islamic Arabs who upheld the value of life and morality were the Arabs from the upper class. Meanwhile, those who lived in depravity were Arabs from the lower classes. See, e.g., Shafiyu al-Rahman al-Mubarakfuri, *Al-Rahiqu al-Makhtum*, p. 37-39 and M. Quraish Shihab, *Reading Sirah of the Prophet Muhammad PBUH.*, in *Highlights of the Qur'an and Sahih Hadith*, (3rd edition; Jakarta: Lentera Hati, 2012), p. 117-118.

3. Al-Badal marriage (exchange of spouses), i.e., a husband might exchange partners with his wife.
4. A child could inherit his father's wife. If a child was abandoned by his father, who passed away, he might marry his mother as an inheritance left by his father.
5. They killed their daughters because they were ashamed to have weak offspring. In addition, they also limited the rights to eat for women and others.

Some examples of the injustice cases of the pre-Islamic jahiliyyah people illustrated how women were not respected for their lives and rights and were even severely abused. Then, the Messenger of Allah came with the banner of Islam that raised the status of women and their rights. It is as enshrined in the following hadith narrated by Imam at-Tirmizi:

Meaning:

"Al-Tirmizi narrated that Muhammad bin Yahya had informed us that he had received a history from Muhammad bin Yusuf. He related that he had received a history from Sufyan. Sufyan received a history from Hisham bin 'Urwah. He received a history from his father, and his father received a history from his Mother, Aisyah ra. His Mother said; Rasulullah PBUH said: "The best of you are those who are best to their wives, and I am the best to my wives. If your friend dies, leave him (leave him and do not talk about his bad things)."

Abd al-Rahim al-Mubarakfuri, in the book *Syarah Sunan at-Tirmizi*, explains that the meaning of the hadith gives an order that every Muslim has the nature of compassion, both to his family, parents, or relatives, and the nature of affection that reflects good morals.²⁸ Besides, undoubtedly, the nature of mercy or affection will encourage the perpetrator not to act abnormally toward his family or other people.

Yusuf al-Qaradhawi, when commenting on the above hadith to explain the wife's rights over her husband, explained that the Prophet always fulfilled the rights

²⁸Abu al-Ali Muhammad 'Abdur Rahman bin 'Abdur Rahim al-Mubarakfuri, *Tuhfat al-Ahwazi: Syarh Jami' al-Tirmizi*, p. 2647

of his wives, took care of them, was friendly with them,²⁹ and always asked about their condition.³⁰

In another narration, it was narrated how Islam, through the speech of the Messenger of Allah, was so respectful of women. It was narrated that one of the shahabiyah, Khaulah bintu Ts'alah ra., complained to the Messenger of Allah about her husband doing zihar³¹ against her. Then, the Messenger of Allah decided that her husband must free an enslaved person as his punishment for committing zihar. However, if he did not have the financial ability to do so, he was given a choice and was charged with fasting for two consecutive months. Furthermore, if he still could not do it due to age or genetic factors, he was burdened with the obligation of having to feed 60 poor people, the amount of food he usually ate.³² This issue also became the *asbab al-nuzul* of *urah al-Mujlah* verses 3-4.

In the hadith above, it appears that the Messenger of Allah respected women. Let alone hitting or doing other violence, committing zihar, which is, in a logical view, something trivial, was not allowed. The zihar could hurt the wife's feelings, so the perpetrators were given heavy and tough sanctions to fulfill. The punishment was imposed as a deterrent for the husband so that he no longer did something that hurt his wife's feelings.

If in pre-Islamic times, women were not given the right and freedom to express their opinion, then post-arrival of the Messenger of Allah, the rights of women were lifted, and they were also given freedom of choice and opinion.

In the Qur'an, it was confirmed that *al-rijalu qawwamuna 'ala al-nisa'*³³ "The man is the leader for women", which has been misunderstood by some circles. They

²⁹ In several narrations, it is explained that the Prophet, once lay on the lap of 'Aisha ra., while listening to the recitation of the Qur'an of Aisyah. In another narration, it was explained that the Prophet SAW, also joked with his wives.

³⁰ Yusuf Qardhawi, "*Hadyu al-Islam Fatawa Mu'asirah*", translated by As'ad Yasin with the title '*Fatwa-fatwa Kontemporer*' volume 1, (3rd edition; Jakarta: Gema Insani Press, 1999), pp. 604-606.

³¹ *Zihar* was a husband's expression which stated to his wife "for me, you were like my mother's back", or equating the physical form of a wife with her mother, either a biological mother or a breastfeeding mother. See, e.g., Kamil Muh. 'Uwaidah, "*Al-Jami' fi al-Fiqhi al-Nisa'*", translated by M. Abdul Ghoffar under the title, *Fiqh Wanita*; Complete Edition, (7th edition; Jakarta: al-Kautsar, 2012), p. 491.

³² Shālih bin Fauzan, *Al-Mulakhkhash Al-Fiqh* (Jakarta: Darul Falah, 2005)., p. 911-912.

³³Q.S. an-Nisa' (4): 34.

considered men full authoritarian holders of their wives and families like kings. Meanwhile, women were considered subordinates who were ready to carry out all the orders of their husbands. This understanding was inaccurate because what was meant by "leader for women" was the responsibility of a husband as the head of the family in educating and prospering the family,³⁴ not acting arbitrarily against his wife and family.

If paying attention to the legal provisions of the Prophet Muhammad, in the hadiths above, it appears that the Messenger of Allah was very respectful of women's rights. Hence, it could also be understood that the Prophet Muhammad was a pioneer in upholding human rights, especially women's rights.

3.4. The Authority of al-Sunnah as a Decree of Islamic Law

The Qur'an, as the primary source of Islamic law, when explaining its laws, was sometimes *ijmal*. Then, the details of the law were explained by the Messenger of Allah, such as the prayer command in the Qur'an, which only emphasized *yuqimu al-shalah*.³⁵ The details of the implementation procedure were not explained. It was where the function of hadith as *bayaan al-tafsir* was to give an interpretation, explain, and detail the laws contained in the Qur'an, which were *mujmal*.³⁶

In addition to being global, the Qur'an also sometimes explains its laws in detail. Regarding this detailed law, the hadith no longer has a role in explaining the legal content of the Qur'an, nor does it function as a *bayan at-tafsir*. However, the Holy Prophet is reported to have established an independent law, meaning that the law does not appear to have been decreed by the Qur'an but was later determined by the Prophet independently and is valid for his followers. It is what the scholars of hadith refer to as *bayan al-tasyri'*, namely the Prophet's authority, in making a new law that is not mentioned in the Qur'an. For instance, the decree of the Prophet, which forbids wild animals with fangs, birds with claws, and the meat of a village

³⁴ Hamka Hasan, *Tafsir Gender: Studi Perbandingan antara Tokoh Indonesia dan Mesir*, (1st edition; Jakarta: Research and Development Agency and Training of the Ministry of Religion of the Republic of Indonesia, 2009), pp. 2001-202.

³⁵ Q.S. al-Baqarah (2): 3

³⁶ Munzier Suparta, *Hadith Science*, (7th edition; Jakarta: Rajawali Pers, 2011), p. 61

donkey,³⁷ the law does not apply to the killing of Muslims who kill infidels, the permissibility of khiyar conditions, the existence of shu'fah, and the obligation to leave prestige for women whose husbands die within certain limits.³⁸ Meanwhile, in the matter of the prohibition of food, the Qur'an only forbids carrion, blood, pigs, animals sacrificed to idols, animals that die of suffocation, are hit, gore, fall, and animals that die are attacked by wild animals.³⁹ There is no mention of the prohibition of wild animals and village donkeys.

This issue gives the impression that the Messenger of Allah was indeed given the authority to decide or establish a law that was not explicitly stipulated by the Book of Allah (the Qur'an). The words of the Prophet also confirm it,

Meaning:

Al-Miqdam bin Ma'di Karib narrated it. He received a narration from the Messenger of Allah that the Prophet PBUH said: "You must know that I was given a revelation in the form of the Qur'an and the like (i.e., al-Sunnah). Then, there was a full man who sat on his chair and gave a message: "You must hold fast to the Qur'an! What you get in the Qur'an from lawful matters, make it lawful. Then, what you find in the Qur'an from unlawful things, make them unlawful. Know it! It is not permissible for you the meat of tame himar, the flesh of wild beasts with fangs, and the inventions of the mu'ahid disbelievers (unbelievers in the promise of protection of the Islamic rulers, and the findings of the Muslim are more important) unless the owner does not need them. Furthermore, whoever stops by a certain community, let them provide a place. If they do not provide a place, they should treat them according to the attitude of their meal."⁴⁰

According to al-Khaththabi, what is meant by "a similar book" is al-bayan, i.e., the permission of the Prophet, by Allah SWT., to explain the contents of the Qur'an, to distinguish which verses are amm and which are unique, as well as providing explicit legal provisions that are not explicitly stipulated in the book of Allah (Qur'an).

³⁷ Tarmizi M. Jakfar, *Non-Tasyri'iyah Sunnah Authority according to Yusuf al-Qardhaw*, (1st edition; Jakarta: Ar-Ruzz Media, 2011), p. 209.

³⁸ Muhammad 'Ajjaj Al-Khatib, *Usul Hadith* (Beirut: Dar al-Fikr, 2001), p. 65.

³⁹ Kementerian Agama RI, *Al-Qur'an Dan Terjemahannya* (Jakarta: Lajnah Pentashihan Mushaf Al-Qur'an Badan Litbang dan Diklat Kementerian Agama RI, 2019), <https://lajnah.kemenag.go.id/unduh/category/3-terjemah-al-qur-an-tahun-2019>.

⁴⁰ Abū Dāwūd Sulaimān bin al-Asy'as Al-Sijistaānī, *Sunan Abū Dāwūd* (Riyadh: Maktabah al-Ma'arif Linnasyr wa at-Tauzi', 1999), p. 831.

The statement of the hadith clarified the researcher's argument regarding the authoritarian sunnah of the Prophet in establishing a law that was not explicitly stated in the holy book of the Qur'an. However, the spirit of the decree of the Prophet has essentially been in the book. Moreover, it should be borne in mind that not all the sayings or sunnah of the Prophet were a qath'i (clear and specific passages that have only one meaning) law, so it must be followed in totality.

4. Conclusion

In his legal career, the Prophet Muhammad was not only known as the Prophet of the Muslims but also for his policies by the infidels of the Arabs at that time. The Prophet Muhammad contributed a lot to the law's determination to benefit Muslims in particular and humans in general. Some of these legal provisions were even used nowadays as theoretical ideas to build a social life, tolerance between religious communities, human rights, and women's emancipation, for instance, is research that is currently being hotly discussed in the world, and it turns out that all of these problems have long been thoroughly initiated by the Rasulullah PBUH.

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