

THE CONCEPT OF THE POSITION OF REVELATION AS AN ONTOLOGY OF PROPHETIC BASED LEGAL SCIENCE

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Abstract

This article aims to answer the position of revelation as a prophetic-based ontology of legal science. If the West issues revelations in science and more specifically in the formation of positive law, and glorifies human reason more, then this article explains that these revelations are part of positive law without ignoring human potential, and placing human potential proportionally. By using philosophical methods and approaches, this article shows that revelation in the study of prophetic law occupies a very high position, revelation functions to provide direction and guidance for reason in understanding reality and the formation of positive law. Law is interpreted by the will of Allah SWT which is based on the Koran and the Sunnah of the Prophet Muhammad. Revelation functions as a guide containing norms, values and rules, while reason is tasked with finding laws based on revelation's direction. For this reason, revelation, reason and the senses never come into conflict between the two, instead they become one unit, mutually reinforcing and reinforcing each other. The combination of revelation with reason and human life is then known as the Islamic moderation paradigm which synergizes things that are permanent with things that are flexible, combines the understanding of the Salaf with contemporary reforms (tajdid), is not jumud and liberal, and understand Islam comprehensively. Conflict between revelation and reason will only occur if one of them is fixed and the other is flexible, then of course the fixed one is superior to the flexible one, or both are equally flexible, so even if one is determined by interpreting the view of reason.

1. Introduction

The meaning of Islam is not only limited to formal worship rituals, nor is it just a collection of moral, spiritual, wisdom and philosophical teachings, nor is it just an inherited ideology and deeds passed down from generation to generation. However, Islam is described by one word, namely islamiah, Islam includes a comprehensive value system, covering all dimensions of life, Islam also means the Book of Allah and the Sunnah of His Messenger. Because of this, many Islamic thinkers offer Islam as a view and way of life, including Kuntowijoyo with his ideas of prophetic social science.

In the field of law, prophetic law is also known as science which uses revelation as a source of law. The existence of prophetic legal science is a form of solution to the substance of western law which is full of secularism. Thus, the law that is expected is a law that is full of values, namely the law that elevates human glory (humanization), frees people from injustice and suffering (liberation), and strengthens faith in Allah SWT (transcendence).

The existence of revelation is very important, so that law is not only at the level of formation and enforcement, but also the function of law is to heal damaged thinking, heal sick hearts, and make those who practice it satisfied.

This paper tries to offer a prophetic-based ontological concept of legal science, that law is essentially a norm that uses the verses of Allah and the words of His prophet as its source, both fixed and clear (qath'i) and flexible (dzanni). . Using God's revelation as a source means placing revelation in a very high position, namely as a guide, guide and giver of direction in the formation of law, while reason and social reality are tasked with understanding and exploring law based on guidance from revelation. Both revelation, reason and the senses are very closely related to each other, so that it is impossible for there to be any conflict between them.

2. Research Method

In the context of prophetic law, the validity of truth can be measured through the connection between the law produced and the revelation of Allah SWT. This validity can be discussed in several aspects:

- a. Consistency with the Al-Quran and the Sunnah of His Messenger. Every law

produced must be consistent with the teachings of the Al-Quran and the Sunnah of His Messenger. Openness to texts originating from revelation and a deep understanding of the social and cultural context are required.

b. Conformity with Islamic Values: The resulting law must be in accordance with Islamic values such as justice, truth, humanity and freedom. The validity of a law can be measured by the extent to which the law reflects these values.

c. Community Acceptability: The resulting law must be acceptable to society, both individually and collectively. This involves dialogue and community participation in the process of establishing prophetic law.

d. Ability to Solve Problems: Prophetic law must be able to solve the problems faced by society. The connection between law and solving everyday problems is an indicator of the validity of truth.

e. Internal Consistency, Prophetic law must have internal consistency, meaning that there must be no contradiction between the resulting laws. This consistency reflects firmness and clarity in the understanding and application of the law.

f. Based on Consensus and Ijtihad, the process of forming prophetic law should involve community consensus and ijtihad, namely efforts to interpret and understand deeply the revelation of Allah SWT. The validity of truth can be strengthened through the active participation of legal experts and ulama.

g. Openness to Change, Prophetic law must be open to changes and developments over time. Even though it originates from permanent revelation, the law must be adaptable to remain relevant and effective in responding to societal dynamics.

By paying attention to the aspects above, research regarding the validity of the truth of prophetic law can be carried out by observing the implementation of the law in society, conducting interviews with legal experts and ulama, and evaluating the extent to which the law meets the principles mentioned. This research can be carried out using observation, interviews, document analysis and literature studies to obtain comprehensive data.

3. Results and Discussion

1. Prophetic Meaning

Prophetic ideas in Indonesia were first offered by Prof. Kuntowijoyo, especially in the field of Social Sciences, hereinafter known as Prophetic Social Sciences. Kunto calls prophetic a method for developing science and religion by making the Al-Quran and Sunnah the main basis for the entire development of science. The Al-

Quran and Sunnah are used as the foundation for the entire building of prophetic knowledge, both natural sciences (*verse Kauniyah*) as the basis for natural laws, humanities (*Ayat Nafsiyah*) as the basis of meaning, value and awareness and divinity (*Verse Qauliyah*) as the basis for God's laws. .¹Kuntowijoyo concludes the prophetic meaning with three basic elements, namely humanization, liberation and transcendence, making transcendence the foundation for the other two elements.²

If we look at the origin of the word, prophetic comes from the English word *prophet* , which means prophet. Prophetic means having qualities or characteristics like a prophet or being predictive, predicting. ³The term prophetic is sometimes also called transcendental. Roger Garaudy gives meaning to Transcendental or transcendence from three perspectives, namely first, recognizing human dependence on their creator. Second, transcendence means recognizing the existence of continuity and shared standards between God and humans, meaning that transcendence relativizes all power, wealth and knowledge. Third, transcendence means recognizing the superiority of absolute norms that transcend human reason .⁴

However, in Arabic vocabulary the words prophet and apostle have different meanings, even though they both contain the same substance. According to Shaikh Umar Sulaiman Al Asyqar in his book *Ar Rasul and Risaleh* , an apostle is a person who is given a revelation with a new Shari'a, while a prophet is a person who is sent to strengthen the Shari'a that previously existed. The same substance between the Prophet and the Apostle lies in the issue of revelation (shari'a), although it is different in the case that the Apostle brought a new Shari'a, while the Prophet strengthened the existing Shari'a which was brought by an Apostle.⁵

Prof. Khudzaifah Dimiyati in one of her writings entitled *Transcendental Thought on the Prophetic Model* suggests that the prophetic model can be seen from its concept, *firstly* , prophetic is part of integrative thinking, according to her, prophetic social science initiated by Kuntowijoyo is one of the variants of thinking about the

¹ Absori, "Transcendental Legal Thought in the Context of the Development of Indonesian Legal Science," *Legal Transcendence: Prospects and Implementation* , 2017, [http://eprints.ums.ac.id/57714/1/Complete Transcendence.pdf](http://eprints.ums.ac.id/57714/1/Complete%20Transcendence.pdf).

² Husnul Muttaqin, "TOWARDS A PROPHETIC SOCIOLOGY Husnul Muttaqin," *Towards a Prophetic Sociology Reflective Sociology* 10 (2015): 219–240.

³ Heddy Shri Ahimsa-Putra, *Islamic Prophetic Paradigm* (Yogyakarta: Gajah Mada University Press, 2018).

⁴ Absori, "Transcendental Legal Thought in the Context of the Development of Indonesian Legal Science."

⁵ Umar Sulaiman Al Asyqar, *APOSTLES AND TRAITS.Pdf* (Riyadh: International Islamic Publishing House, 2008).

integration of science and religion, apart from the model Islamization (reactive and responsive) and codification (involutive and expansive). *Second*, Prophetic is a critique of social science secular humanities. Prophetic SOCIAL SCIENCE seeks to make religion (revelation) the basis for subjective and social transformation of the ummah, a thought that makes religion the basis of science and theory, by means of objectification (not directly applying religious law). In an effort to make Islam a paradigm, science and theory by means of internalization and objectification, prophetic builds a transcendent structural method, revelation occupies the highest pyramid in the structure. *Third*, the mission of ethics as a direction of science, including legal science, namely humanization, liberation and transcendence using synthetic and analytical approaches .⁶

According to Prof. Khudzaifah Dimiyati The term prophetic was originally known in prophetic social sciences, then in the field of law it is also known as prophetic legal sciences, a legal idea inspired by Kuntowijoyo, a professor of history at the Faculty of Cultural Sciences UGM (Gajah Mada University).⁷ Prophetic legal science bases its paradigm on basic assumptions, principles, teachings or theories, methodology, structure of norms, built on the epistemological basis of Islamic teachings which originate from the Koran and Hadith. Through the process of transformation and objectification of Islamic teachings about law which are based on the Koran and Hadith as texts, basic assumptions are built which then descend into theories, doctrines, principles, rules and legal norms that apply in society according to their respective contexts. , both Muslim and non-Muslim communities.⁸

That's why prophetic law is also called the law of endurance, it is a law that prioritizes humans as noble creatures, where glory is measured by the extent to which humans obey and submit to God's will. The more submissive and obedient he is, the more devout and noble he becomes. This prophetic law is based on two main principles, namely first, prophetic philosophical principles and prophetic spirit principles. Prophetic philosophy consists of humanist, emancipatory,

⁶ Khudzaifah Dimiyati et al, "Prophetic Model Transcendental Thinking," *Transcendental Law Development and Law Enforcement in Indonesia* 2, no. 20 (2015): 71–85, <https://publikasiilmiah.ums.ac.id/bitstream/handle/11617/9683/5.Khudzaifah.pdf?sequence=1&isAllowed=y>.

⁷ Ibid.

⁸ M. Syamsudin (at. Al), *Prophetic Legal Science, Initial Ideas on the Foundations of Philosophy and Possible Developments in the Era of Postmodernism* , ed. M. Syamsudin (Yogyakarta: FH UII PRESS, 2013).

transcendental and teleological principles, while prophetic spirit consists of the spirit of humanity, science, servanthood and universality, then legal concepts which are usually materially oriented and positive are then directed towards the spiritual.⁹

From the prophetic explanation above, it is clear that the study of prophetic science or the Prophet, if seen from an Islamic scientific point of view, is actually included in the study of Aqidah, ¹⁰so it is not surprising that studying the knowledge of Prophets and Apostles means that this knowledge cannot be separated from the point of view or perspective of aqidah both in the social and social fields. especially the study of prophetic law. So the meaning of the prophetic is as follows:

- a. A form of integration between revelation and science
- b. Prophetic cannot be separated from Islamic aqidah (tauhid), talking about prophetic law means that the law can be guaranteed to have substance and is in line with Islamic aqeedah, in this case the revelation revealed by Allah to the Prophet Muhammad SAW. So the science of prophetic law is very identical to Islam (revelation), and Islam is not perfect for oneself and a society unless the laws that govern them originate from revelation either directly through the text, or the values and rules it contains (cultivating faith in the breasts).). Prof. Absori said that the prophetic dimension can be seen in the most basic teachings, namely the aqidah which teaches an understanding of the relationship between humans and nature and with God. Humans and nature are essentially mortal creatures, while God is the ruler of the universe and its contents (*robbul alamin*) which is eternal (baqa). The greatest happiness of a Muslim is when he is able to completely surrender to obey the commands (laws) of Allah which are natural (sunnahtullah), whether general or detailed, as a consequence of his confession that Allah is Almighty, the ruler of everything and everything. creatures depend

⁹ Bobby Briando, "PROPHETICAL LAW: BUILDING JUST LAW WITH PEACE Bobby" 2, no. 1 (2017): 325–336.

¹⁰ Aqidah are things where the heart justifies it, the soul becomes calm because of it, and creates a sense of self-confidence without being mixed with doubts and doubts. Faith in Islam includes four main points, namely: first. al dewalyyat, namely relating to God, namely his nature, asthma', and actions, things that a servant must believe in his God. Second, An Nubuwwat, namely everything related to the prophet (attributes, humanity, duties, and the importance of human needs for the message he brought, sainthood, miracles, karamah, and heavenly books. Third, Ar Ruhaniyat is discussing anything related to the supernatural realm (angels, jinn and spirits). Fourth, As sam'iyat is something related to life in the realm of barzakh and the life of the hereafter (the grave, signs of the Day of Judgment, resurrection, day of reckoning, and retribution). See Hasan Al Bana, Minutes of the Muslim Brotherhood Movement (2), Solo: Adicitra Intermedia Era

on Him.¹¹

- c. Shape human needs based on the revelations that Allah sent down to His Prophets and Messengers. This means that there is a recognition within humans of their limitations, especially their rationality in explaining the phenomena and problems of life, for this reason they need revelations and explanations from the Prophets and Apostles to reveal these problems, so that they are protected from secularism, pluralism and liberalism. Ibn Taymiyah said: Apostleship is very important for humans. It cannot be denied that their needs exceed other needs. Apostolate is the spirit of the world, its light and life. What goodness is left for the world when there is no spirit, life and light? (Qs Al An'am: 122).

2. The Nature of Revelation, Source and Validity of Truth

a. The Essence of Revelation

As previously explained, the science of prophetic law bases its epistemological basis on Islam, so a serious and in-depth study of revelation is very important. Heddy Ahimsa Putra in his book entitled: "*Prophetic Padigma according to Islam*" quotes Kuntowijoyo's opinion who defines the Koran as the word of Allah which was revealed to the Prophet and His Apostles to be conveyed to all mankind, it is a constitutive element in the Islamic paradigm, because it is considered the most perfect and has the highest authority.¹²

Yusuf Qardhawi further emphasized that if it is called revelation then it means the Koran and Sunnah. Where the Koran is the word of Allah revealed to the Prophet Muhammad SAW which is always guarded in human hearts, read by the tongue, written in mushaf and fortified in its glory, to bring humans out of darkness into the light (God's way) with His permission, while the Sunnah is Allah's revelation was used by Rasulullah SAW to explain the Koran, even though it does not have the exact features of the Koran in its structure and miracles, but reading it is valuable as worship.¹³

Revelation is not a product of human reason, nor is it the result of a particular culture or tradition. The Koran as a revelation has its own characteristics, including:

¹¹ Absori, "Transcendental Legal Thought in the Context of the Development of Indonesian Legal Science."

¹² Heddy Shri Ahimsa-Putra, *Islamic Prophetic Paradigm*.

¹³ Yusuf Al Qardhawi, *Al Quran and Sunnah The Highest Reference for the Islamic Ummah* (Jakarta: Robbani Press, 1997).

first, the Koran is a book. Second, the preserved holy books. Third, the holy book is a miracle. Fourth, the holy book is an explanation and makes understanding easier. Fifth, the holy book for all religions. Sixth, the holy book for all times. Seventh, the holy book for all mankind.¹⁴

The Book of Allah is a benchmark for providing explanations of everything in life. It is the ocean from which we reap pearls of brilliance and reference in determining the law.¹⁵ The Koran is the main reference, while the sayings and instructions of the Prophet Muhammad are one of the consequences that come from the Koran.¹⁶ Meanwhile, previous generations acted as implementers of the commands and teachings of the Koran as well as examples of empirical application of the commands and teachings of the Koran.¹⁷

It has become a characteristic of the Islamic religion that it is a religion that is based on the foundation of the Almighty God. So all rules and regulations must be based on this great fundamental. Just like a tree that is big, tall, fertile, towering and shady, full of branches, and able to withstand the wind, its roots must stick firmly into the deep ground and spread its shade wide in the air.¹⁸

The confirmation of this foundation from a theoretical perspective presupposes that human life as a whole returns to God. That humanity as a whole returns to Allah. That humans never decide matters in all their affairs and in all dimensions of their life according to the perspective of their personal ego, but they must return it to God's law, for them to follow. This law of Allah must be studied from one source that has conveyed it, namely the Messenger of Allah, this is what is reflected in the second creed, namely *Anna Muhammad and Rasulullah* (that Muhammad is the Messenger of Allah).¹⁹

So revelation is essentially the word of Allah SWT (His verses), the Prophet's and Apostle's explanation of His words. Word of Allah SWT: *And it is not what he said, however revealed revelation to him*" (Qs An -Najm: 3-4) . The Koran as a revelation from Allah SWT is seen from the perspective of His verses, so some of them are

¹⁴ Yusuf Al Qardhawi, *Interacting with the Koran* (Jakarta: Gema Insani, 1999).

¹⁵ Hasan Al Bana, *Majma'atur Rasail Al Imam Al Bana* (Egypt: Al Bashair Lil Buhuts Wad Dirasat, 2010).

¹⁶ Sayyid Qutub, *Maalim Fi Ath Tariq* (Yogyakarta: Darul Uswah, 2009).

¹⁷ Hasan Al Bana, *Majma'atur Rasail Al Imam Al Bana* .

¹⁸ Sayyid Qutub, *Maalim Fi Ath Tariq* .

¹⁹ Ibid.

qath'i and some are zhanni. According to Abdullah bin Qasim Al Qasim Al Wasyli qath'i is a law whose sanad is mutawatir in nature, narrated by many people from people who would normally not be able to agree to lie, the word (editor) shows a textual meaning and does not contain possibility. another meaning. Meanwhile, Zhanni is a law that loses one of the characteristics of qath'i law, for example the text is mutawatir but contains several possible meanings.²⁰

From the explanation above, it becomes clearer that the object of prophetic legal science is the verses of Allah SWT through the words and sayings of His Prophet, so the essence of prophetic-based law is Allah's will for something just, the source of which is found in the Koran and Sunnah. ²¹In line with that, Prof. Absori said that transcendental legal science is rooted in God's will for His creatures which was revealed through His prophets and apostles, the preachers and aulia who always remain istiqomah and adhere to the divine line (*sunnahtullah*). Sunnatullah is the philosophical basis of natural law , explained through His verses, both written (the Book and Sunnah) and those described in the universe and the reality of life. Transcendental legal science is aimed at guiding human life to achieve happiness in this world and the hereafter.²²

The essence of law, which is the will of Allah SWT, does not mean ignoring the right of humans to form laws using their reason. The thing that needs to be the point of emphasis is that what is prohibited is only if humans use their minds to form laws as they please without getting permission from Allah. Such as making provisions regarding pure religious matters, for example making certain worship services, holding your own religious broadcasts, adding to what Allah has prescribed because of following your desires or reducing things that Allah has ordained, or changing the time, place or form. implementation of what has been determined, making unlawful what Allah has made lawful, making lawful what Allah has forbidden. Likewise, making rules that conflict with authentic and strict texts. Such as provisions that support evil, or spread abominations, whether real or hidden, or disrupt clear obligations or cancel strict sanctions, or go beyond God's general limits, because this is considered as interfering in God's affairs. .²³

²⁰ Hasan Al Bana, *Majma'atur Rasail Al Imam Al Bana* .

²¹ Al), *Prophetic Law, Initial Ideas on the Foundations of Philosophy and Possible Developments in the Era of Postmodernism* .

²² Absori, "Epistemology of Transcendental Legal Science and Its Implementation," no. April (2015): 34–49.

²³ Yusuf Al Qardhawi, *Min Fiqh Al-Dawlah Al Islamiyyah* (Cairo: Darus Syuruq, 1997).

Apart from the above, humans with the help of their minds have the right to make provisions for themselves. With the provisions regarding those that do not have text. Also included are various principles and rules that are only set out in general terms, without explaining them in detail.²⁴As is known, to ground Islam at the level of reality, Islam really respects the creativity of the human mind in this case performing *ijtihad*, both in understanding the text (*istinbati*) and in applying the text (*tatbiqi*) in the reality of life in order to achieve the intent of the Shari'a itself.²⁵

According to Prof. Dr. Rifyal Kaaba, the legislator is actually Allah, humans as legislators with a meaning that is not true, because humans with their minds do not determine laws but issue or reveal laws that already exist but have not yet surfaced. From that, he is referred to as *istinbath al ahkam* (extracting or concluding existing provisions) not as *sinn al qawanin* (making laws) or *khalq ad dasatir* (creating laws or constitutions).²⁶

From the explanation above, the ontology of prophetic-based legal science is norms formed from revelation, namely the Koran and Sunnah through the verses and sayings of the Prophet as the will of Allah SWT, with which meaning is obtained directly, or indirectly through the process of internalization and objectification.

b. Source of Revelation

According to Kuntowijoyo, the construct of knowledge which places revelation as one of its sources, means recognizing the existence of a transcendental structure as a reference for interpreting reality, namely recognizing the existence of ideas whose source is purely outside of humans, a construct of a structure of values that stands alone and is transcendental in nature. The assumption of the existence of a transcendental structure means recognizing that the Koran must be understood as a transcendental building of ideas, an order, or an autonomous and perfect system.²⁷

Meanwhile, the Koran as a revelation comes from Allah SWT, the word of Allah, meaning: *by the Koran which is full of wisdom, indeed you are one of the messengers, (who are) on the straight path, (as a revelation) which was sent down by the Most Mighty, Most Merciful, so that you warn a people whose fathers have never been warned, because they are*

²⁴ Ibid.

²⁵ Fatimah, "IJTIHÂD ISTINBÂT AND IJTIHÂD TATBÎQI ACCORDING TO AL-SYÂTIBÎ IN THE KITÂB AL-MUWAFAQÂT" 9 (2011): 139–149.

²⁶ Rifyal Kaaba, *Enforcement of Islamic Sharia in Indonesia* (Jakarta: Rifyal Kaaba Foundation, 2016).

²⁷ Kuntowijoyo, *Islamic Paradigm, Interpretation for Action* (Sleman: Tiara Wacana, 2017).

negligent (Qs Yasin: 2-6).

Islam as the basis of prophetic legal science needs to know that Islam is defined by the second creed, namely *Anna Muhammad and Rasulullah* (that Muhammad is the messenger of Allah). Islam cannot be separated from the texts presented by the Prophet Muhammad as its foundation. If a text is found, then that text becomes the law, there is no room for *ijtihad* along with a clear and definite text. However, if no text can be found, that is where *ijtihad* comes into play, which of course must be in line with the basic principles established by Islam, not based on lust and personal interests.²⁸ The word of Allah SWT, *means: O you who believe, obey Allah and obey the Messenger (His), and the ulil amri among you. then if you have different opinions about something, then return it to Allah (the Koran) and the Messenger (sunnah), if you truly believe in Allah and the Last Day. that is more important (for you) and the consequences are better (Qs An Nisa': 59).*

Regarding this verse, As Sa'di in his interpretation explains: Allah commands to return all matters disputed by humans from matters which are the basis of religion or its branches to Allah and His Messenger, meaning to the Book of Allah and the Sunnah of His Messenger, because in both cases there is a just decision for all disputed issues, namely by expressing it clearly by both of them or in general or a signal or warning or understanding or general meaning that can be expressed with it all things that are similar to the general meaning, because in fact the above The Book of Allah and the Sunnah of His Messenger, religion stands firmly, and a person's faith will not be straight unless he believes in both of them, so returning matters to both of them is a condition of faith, that is why Allah says, "If you truly believe in Allah and the Last Day" this shows that Whoever does not return disputed matters to both of them, then he is not a true believer, but he is a believer in *taghut* as Allah mentioned in the next verse, "That way" namely returning to Allah and His Messenger, "more the most important (for you) and the consequences are better," because indeed the law of Allah and His Messenger is the best law, the most just, and the most useful for humans in matters of religion, the world, and the results of their hereafter.²⁹

Buya Hamka in his work entitled *Godly Philosophy* explains why one of the

²⁸ Sayyid Qutub, *Maalim Fi Ath Tariq*.

²⁹<https://tafsirweb.com/1591-surat-an-nisa-ayat-59.html>

meanings of Islam is surrender or giving up happily and willingly, this is because the mind has reached the end of the journey it has been on, namely a condition where the mind is no longer able to make decisions. from the journey that the mind takes, therefore the higher the journey of the mind, the more tools of knowledge used, the higher the dignity of one's faith and Islam.³⁰ Therefore, the noblest goal of reason, the true goal of reason, the goal of our struggle in this life is ma'rifatullah, knowing God, carrying out His commands obediently, refraining from disobeying Him. The place to return to when there is a dispute, that is the Shari'a that was revealed by Allah to the human race through His prophets, therefore let us teach ourselves to submit to the Shari'a and be steadfast in our devotion to worship. Because there is no commandment calling for worship that does not aim for holiness and form a way of life.³¹

Therefore, when the Messenger of Allah sent Mu'adz to Yemen, he said: *"How will you punish if something comes to you?"* . He (Mu'adz) answered: "I will punish with the Book of Allah." His words: *"What if it is not found in the Book of Allah?"* . He replied: "I will punish according to the Sunnah of the Prophet." He said: *"What if it is not found in the Sunnah of the Prophet?"* . He answered: "I make ijtihad with my mind and will not back down..." (HR. Abu Daud).³²

Anyone should refer to the Book of Allah and the Sunnah of His Messenger to find out what Allah wants. This does not apply to people who wish to claim power in the name of God, as was once popular in Europe. This kind of thing does not exist in Islam at all. Anyone has no right to speak in the name of God except His Messenger Muhammad saw. He was the one who conveyed certain texts that explained what was ordained by Allah SWT.³³ Again, based on revelation, we actually start with full awareness to implement and practice, not just at a theoretical and profit level. We return to it to examine what God wants and our life orientation.³⁴

Holding fast to revelation is the path to divine immersion (*sibghah dewayah*) , with total surrender to His teachings, so that is what makes something different and

³⁰ Hamka, *The Philosophy of God* (Jakarta: Gema Insani, 2017).

³¹ Hamka, *Philosophy of Life* (Jakarta: Republika, 2015).

³² Ibn Qayim Al Jauziyah, *Guide to Islamic Law* (Jakarta: Pustaka Azam, 2000).

³³ Sayyid Qutub, *Maalim Fi Ath Tariq* .

³⁴ Ibid.

special from others. That's why the Messenger of Allah was very enthusiastic about directing his friends to revelation so that they only took teachings from revelation. The Messenger of Allah was very angry with Umar bin Khatab when he came with a sheet of the Torah and thought it was good and good what was in his hand, so the Prophet said to him: *By Allah, truly I have come to bring it (revelation) to you in a pure white condition. . By Allah, if my brother Musa were alive and you followed him and left me, you would surely be lost.*³⁵

Then what about empirical facts (social reality), inspiration, kasyf, can they be a source of law? When religion is faced with a particular context or reality, religion does not face a reality, then admits it and finds references and Sharia law for it. However, religion in finding a solution is based on religious considerations, then determines what is appropriate to be determined, and denies what is appropriate to be denied, and brings up another reality, if the existing reality is not expected. And the reality that religion gives rise to is the real reality. ³⁶Muhammad Alwi Al Maliki said that Islamic teachings are flexible teachings, but being flexible in Islam does not mean accepting every existing reality, without any previous filter, to the reality of Islam, responding to it by rejecting or accepting it, depending on the ' Illat (reason) that exists, because that reality There are things that are halal, haram, obligatory, makruh and so on.³⁷

Likewise inspiration, kasyf, and dreams, even though Islam recognizes their existence, they cannot automatically be used as sources and legal arguments, because there are many presumptions that approach them and many illusions are mixed with them. One should not just rely on it, instead one must return one's consideration to revelation (the Koran and Sunnah). Abu Sulaiman Ad Darani in his words: indeed in my heart things crossed the hearts of some people (Sufi experts), but I did not accept them unless they were in line with the Koran and Sunnah.³⁸

So it can be said that the only source of law is the Koran and Sunnah, it does not mention reason (ijma and qiyas) specifically as a source of law because: First,

³⁵ Umar Sulaiman Al Asyqar, *Guide to Becoming a Muslim with Tough and Powerful Character* (Jakarta: Mirqat Publishing, 2007).

³⁶ Sayyid Qutub, *Maalim Fi Ath Tariq* .

³⁷ Muhammad Alwi Al Maliki, *Islamic Sharia: The Struggle of Text and Reality* (Yogyakarta: eLSAQ, 2003).

³⁸ Muhammad Abdullah Khatib and Muhammad Abdul Halim Hamid, *Syarah Risale Ta'alim* (Jakarta: Al I'tishom, 2007).

basically reason (Ijma and Qiyas) is mentioned together with the Koran and Sunnah when it comes to law. -practical partial laws, all of which are based on two basic sources, namely the Koran and the Sunnah. Second, the validity of Ijma and Qiyas is based on the recommendations of the Al-Quran and Sunnah, so that the validity of their authority is not by itself, but rather by Al-Quran and Sunnah. Third: The Koran and Sunnah are sources of qoth 'i and ma'shum where a Muslim who is true to Islam will not have different opinions about its authority, in contrast to qiyas and ijma where there are indeed many differences of opinion about them, even though the majority of ulama admit it. ³⁹Even if reason (ijma and qiyas) can be classified as a source of law, its position is as an additional source of law because it is often connected with the Koran and Sunnah.⁴⁰

So it is clear that the source of revelation in the science of prophetic law is Allah SWT through His word who sent prophets and apostles to convey and explain it through His words to mankind. In this way, revelation and reason are not separate, but rather the two must coexist into one whole, revelation which is transcendent in nature guides reason which has many limitations, ⁴¹revelation becomes a way to obtain divine immersion, so that reason is educated to believe and submit to the One who created Him and lead him to faith and righteous deeds.

Therefore, prophetic-based legal sources consist of: first. The main sources of law are the Koran and Sunnah and secondly, additional sources are: reason and the senses or experience.

c. Validity of Truth

Both reason and revelation always go hand in hand and do not conflict with each other, revelation as very complete verses and instructions sourced directly from Allah SWT who knows best is a guide for reason, while reason is in charge of understanding and determining the revelation, so that one expression said that if

³⁹ Yusuf Al Qardhawi, "Madkhal Li Ma'rifatil Islām, Muqawwamātuh, Khaṣāiṣuh, Ahdāfuh, Maṣādiruh" (1999): 82, <https://www.al-qaradawi.net/node/5134>.

⁴⁰ Yusuf Al Qardhawi, "Madkahal Li Dirasah Al Syariah Al Islamiyah" (1990): 223, <https://www.al-qaradawi.net/node/5039>.

⁴¹ According to Muhammad Alwi Maliki, reason cannot be used as a parameter to determine good and bad because firstly, humans are often unable to use their reason honestly and well because it is sometimes influenced by their desires and socio-cultural conditions, secondly. The level of human reasoning ability varies from one person to another so that what is considered good by one person is not necessarily considered good by another person. Third, reason has limitations in reaching knowledge because reason does not know with certainty what will happen and the demands of life in the future (See Muhammad Alwi Al Maliki, 2003, Islamic Sharia..... Yogyakarta: eLSAQ)

reason is weak, then revelation is also weak.

In this context, revelation forms a paradigm called the theanthropocentric paradigm, namely that on the one hand it acknowledges revelation, but on the other hand it also does not forget the intelligence of the human mind, especially in terms of gaining wisdom and achieving benefit. Yusuf Qaradawi calls it the Islamic moderation paradigm as a form of integration between revelation and science. There are 4 paradigms of Islamic moderation, namely, *first*. combining the understanding of Salaf with the understanding of renewal (*tajdid*) , *second*. Synergize the steady and permanent teachings of Islam (*tsawabit*) with flexible Islamic teachings (*al mutaghayirat*), *third*. Avoiding jumud, liberal and partial ideology in Islam, *fourth*. Understand Islam comprehensively. ⁴²As for the characteristics of thinking, *first*. Believe in the wisdom of the Shari'a which contains benefits. *Second*, connecting sharia texts with sharia law. *Third*, look fairly at religious and world affairs. *Fourth*, the correspondence between the text and the reality of life. *Fifth*, make it easier for people. *Sixth*, open, dialogical and tolerant towards the world.⁴³

This moderate view prevents someone from falling into radicalism, namely excess (*tatharuf*) in religion, thinking and behavior. Or with other meanings, namely excessive (*ghuluw*), exceeding limits (*tanathu'*), and making things difficult for oneself (*tasydid*) . ⁴⁴Among the indications of radicalism are first, being fanatical about one opinion, without respecting other opinions. Second, obliging other people to carry out things that are not required by Allah. Third, a harsh attitude that is not appropriate. Fourth, tough and rude attitude. Fifth, be suspicious of other people. Sixth, disbelieve in other people.⁴⁵

Therefore, in prophetic-based legal science, law is formed from the revelation of Allah SWT as its constitutive element, not forgetting the role of humans by involving their minds to reveal the verses and sayings of the Prophet SWT and the heart which purifies its faith in Allah SWT, to obtain wisdom and realize benefit in

⁴² Khairan Muhammad Arif, *Islamic Moderation, Comprehensive Study of Islamic Wasathiyah Thought, Perspective of the Koran and Sunnah Towards Islam Rahmatan Li Al Alamin* , ed. Hadi Susanto (Jakarta: Pustaka Ikadi, 2020).

⁴³ Yusuf Al Qardhawi, "Diraasah Fi Fiqh Maqaashid Al-Syarii'Ah Bayna Al-Maqaashid Al-Kulliyyah Wa Al-Nushuush Al-Juz-Iyyah" (Egypt: Dar Asy Syuruq, 2008).

⁴⁴ Yusuf Al Qardhawi, *Radical Islam: Analysis of Radicalism in Islam and Efforts to Solve It* (Solo: Era Adicitra intermedia, 2004).

⁴⁵ Ibid.

human life, more than that, the prophetic spirit makes the mind receive a divine immersion, making it noble and special.

Therefore, in principle there is never a conflict between common sense and the definite norms of revelation (*qath'i*). Conflict will occur if a view of reason or reality which is relative is confronted with a text whose norms are definite (*qath'i*) or a view of reason or reality which is flexible is faced with a text whose meaning is flexible (*dzanni*). So even if there is a conflict between reason and revelation then:

- a. If the relative view of reason is in conflict with the definite norms of revelation (*qathi*), then the view of reason is returned to revelation (the view of reason becomes invalid).
- b. If reason which is relatively contradictory to revelation is *dzanni* (flexible) then the strongest one is chosen, by reviewing the view of reason, until then the view of reason is proven to be true or collapses by itself.⁴⁶

With such validity, the consequences for legal norms are:

1. there is certainty and guarantee that positive legal norms do not conflict with revelation.
 2. If positive legal norms (relative legal norms) conflict with revelation (definite norms) then the positive legal norms become invalid.
 3. If positive legal norms (relative legal norms) conflict with revelation (flexible norms), then the positive legal norms are reviewed and the strongest and most appropriate positive legal norms are taken, until then the legal norms are proven to be true or fall by themselves .
4. **Conclusion**

Based on the discussion of the article, several conclusions can be drawn as follows: The article discusses the meaning of Islam not only as a formal worship ritual or a collection of moral, spiritual, wisdom and philosophical teachings. Kuntowijoyo's thoughts on prophetic social science and prophetic legal science try to present Islam as a way of life that covers all dimensions of life. It is emphasized that the main reference in determining law is the Book of Allah (Al-Quran) and the Sunnah of His Messenger. For Muslims, understanding and

⁴⁶ Abdullah Bin Qasim Al Waslyi, *Syarah Ushul Isyryn, Diving into the Ocean 20 Principles of Hasan Al Bana* (Solo: Era Adicitra intermedia, 2018).

following Allah's revelation and the Shari'a revealed through the Prophet Muhammad SAW is essential to maintaining the truth and sanctity of religion.

References

- Abdullah Bin Qasim Al Wasyli. *Syarah Ushul Isyrin, Diving into the Ocean 20 Principles of Hasan Al Bana* . Solo: Era Adicitra intermedia, 2018.
- Absori. "Epistemology of Transcendental Legal Science and Its Implementation," no. April (2015): 34–49.
- . "Transcendental Legal Thought in the Context of the Development of Indonesian Legal Science." *Legal Transcendence: Prospects and Implementation* , 2017. [http://eprints.ums.ac.id/57714/1/Complete Transcendence.pdf](http://eprints.ums.ac.id/57714/1/Complete%20Transcendence.pdf).
- Al) _
- Bobby Briando. "PROPHETICAL LAW: BUILDING JUST LAW WITH PEACE Bobby" 2, no. 1 (2017): 325–336.
- Fatima. "IJTIHÂD ISTINBÂT AND IJTIHÂD TATBÎQI ACCORDING TO AL-SYÂTIBÎ IN THE KITÂB AL-MUWAFAQÂT" 9 (2011): 139–149.
- Hamka. *Philosophy of Life* . Jakarta: Republika, 2015.
- . *Divine Philosophy* . Jakarta: Gema Insani, 2017.
- Hasan Al Bana. *Majma'atur Rasail Al Imam Al Bana* . Egypt: Al Bashair Lil Buhuts Wad Dirasat, 2010.
- Heddy Shri Ahimsa-Putra. *Islamic Prophetic Paradigm* . Yogyakarta: Gajah Mada University Press, 2018.
- Ibn Qayyim Al Jauziyah. *Guide to Islamic Law* . Jakarta: Azam Library, 2000.
- Khairan Muhammad Arif. *Islamic Moderation, Comprehensive Study of Islamic Wasathiyah Thought, Perspective of the Koran and Sunnah towards Islam Rahmatan Li Al Alamin* . Edited by Hadi Susanto. Jakarta: Ikadi Library, 2020.
- Khudzaifah Dimyati et al. "Prophetic Model of Transcendental Thought." *Transcendental Law Development and Law Enforcement in Indonesia* 2, no. 20 (2015): 71–85. [https://publikasiilmiah.ums.ac.id/bitstream/handle/11617/9683/5. Khudzaifah.pdf?sequence=1&isAllowed=y](https://publikasiilmiah.ums.ac.id/bitstream/handle/11617/9683/5/Khudzaifah.pdf?sequence=1&isAllowed=y).
- Kuntowijoyo. *Islamic Paradigm, Interpretation for Action* . Sleman: Tiara Wacana, 2017.
- Muhammad Abdullah Khatib and Muhammad Abdul Halim Hamid. *Syarah Treatise Ta'alim* . Jakarta: Al I'tishom, 2007.
- Muhammad Alwi Al Maliki. *Islamic Sharia: The Struggle of Text and Reality* . Yogyakarta: eLSAQ, 2003.
- Muttaqin, Husnul. "TOWARDS A PROPHETIC SOCIOLOGY Husnul Muttaqin." *Toward a Prophetic Sociology Reflective Sociology* 10 (2015): 219–240.
- Kaaba Rifal. *Enforcement of Islamic Sharia in Indonesia* . Jakarta: Rifyal Kaaba Foundation, 2016.
- Sayyid Qutub. *Maalim Fi Ath Tariq* . Yogyakarta: Darul Uswah, 2009.
- Umar Sulaiman Al Ashqar. *Guide to Becoming a Muslim with a Tough and Powerful Character* . Jakarta: Mirqat Publishing, 2007.
- . *APOSTLES AND TREATISE.Pdf* . Riyadh: International Islamic Publishing House, 2008.
- Yusuf Al Qardhawi. *The Al-Quran and Sunnah are the Highest References for the Islamic Ummah* . Jakarta:

Robbani Press, 1997.

———. *Interacting with the Koran*. Jakarta: Gema Human, 1999.

———. “Diraasah Fi Fiqh Maqaashid Al-Syarii’Ah Bayna Al-Maqaashid Al-Kulliyyah Wa Al-Nushuush Al-Juz-Iyyah.” Egypt: Dar Asy Syuruq, 2008.

———. *Radical Islam: Analysis of Radicalism in Islam and Efforts to Solve It*. Solo: Adicitra Intermedia Era, 2004.

———. “Madkhal Li Dirasah Al Syariah Al Islamiyah” (1990): 223. <https://www.al-qaradawi.net/node/5039>.

———. “Madkhal Li Ma’rifatil Islām, Muqawwamātuh, Khaṣāiṣuh, Ahdāfuh, Maṣādiruh” (1999): 82. <https://www.al-qaradawi.net/node/5134>.

———. *Min Fiqh Al-Dawlah Al Islamiyyah*. Cairo: Darus Syuruq, 1997.

Temanggung Province Java Middle. Diponegoro Law Journal. Vol.6, No.2. p.2. <https://ejournal3.undip.ac.id/index.php/dlr/article/view/19575>

Indra Rahmatullah. December 2014. Protection of Geographical Indications in Property Rights Intellectual Through Ratification Agreement Lisbon. Journal Cita Law. Vol. II No.2. ISSN :2356-1440. Faculty Sharia And Law UIN Sharif Hidayatullah Jakarta.

Siti Asfiah. October 2015. Legal Protection of Potential Geographical Indications in Districts Brebes for Economic Development of Local Communities. Journal of Legal Ideas, Vol.1 No.2. master of Law Faculty Law University General Soedirman.

Tatty Ramli And Yetti Sumiati. 2008. Implications Registration Indication Geographical To Potency Enhancement Growth Economy Public. Journal Law Business. Bo. 27 No.4.

Winda Risna Yessiningrum. 2015. Legal Protection of Geographical Indications as Part of Right Riches Intellectual. Journal Study Law And Justice IUS, Vol. III, No.7. p.45

Yuni Zanesty Hutapea. 2020. Analysis of Factors Affecting Demand for Gayo Robusta Coffee (Coffee Camphora). Medan Area University. <http://repository.uma.ac.id/handle/123456789/12125>

1945 Constitution of the Republic of Indonesia

Law Numbers 19 of 2013 concerning Protection and Empowerment of Farmers

Law of the Republic of Indonesia Number 20 of 2016 concerning Marks and Geographical Indications

Government Regulations No. 51 of 2007 concerning Geographical Indications <http://www.aekiaice.org/>

<https://www.talkaboutcoffee.com/coffee-beans.html> Coffee Beans – The Many Varieties of The Coffee Plants. <https://ig.dgip.go.id/detail-ig/26#batas-region>