

Divine Constitution Perspective On the Reactualization of Allah's Law

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Abstract

The aims of the research was to find out the perspective of the divine constitution on the reactualization of Allah's Law. The background of the problem is the inequality between the law at the ideal and factual levels. Ideally, the degree of law is within the corridors and the degree of Allah's law, but the facts show that the nuances of the law are more oriented towards the product of man alone. The methodology used is normative legal research with qualitatively analyzed. The research findings are the position of Allah's law is the single best law and has the highest degree for a sure person. Allah's law is a system of laws that contains the maslahat of the world and the hereafter. Allah's law is fixed and some is changing whose content material is comprehensive and accordance with the needs of the times, places, circumstances, intentions and traditions. Allah commissioned the apostles, bringing down the books and the suhuf as the basic benchmark and the main reference of the law. The last treatise was received by the Muhammad SAW with the guidance of the Qur'an and the sunnah. The

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divine constitution mentions more legal concepts than shari'ah and fiqh, while Islamic Law is becoming a popular concept today. Allah's law must be obeyed, and the disobedient are forbidden. Taqwa is the noblest level in the application of the law of Allah's law with a guarantee of success in all aspects of life.

Tujuan dari penelitian ini adalah untuk mengetahui perspektif konstitusi ilahi tentang reaktualisasi Hukum Allah. Latar belakang permasalahannya adalah ketimpangan antara hukum pada tataran ideal dan faktual. Idealnya, derajat hukum berada dalam koridor dan derajat hukum Allah, namun fakta menunjukkan bahwa nuansa hukum lebih berorientasi pada produk manusia saja. Metodologi yang digunakan adalah penelitian hukum normatif dengan analisis kualitatif. Temuan penelitian menunjukkan bahwa posisi hukum Allah merupakan hukum tunggal terbaik dan memiliki derajat tertinggi untuk orang yang yakin. Hukum Allah adalah sistem hukum yang berisi maslahat dunia dan akhirat. Hukum Allah ada yang bersifat tetap dan sebagian ada yang berubah. Hukum Allah komprehensif dan senantiasa sesuai dengan kebutuhan zaman, tempat, keadaan, niat dan tradisi. Allah menugaskan para rasul, menurunkan kitab-kitab dan suhuf sebagai patokan dasar dan rujukan utama hukum. Risalah terakhir diterima oleh Nabi Muhammad SAW dengan berdasar kepada Al-Qur'an dan sunnah. Konstitusi ilahi menyebutkan lebih banyak konsep hukum daripada syariah dan fiqh, sementara Hukum Islam menjadi konsep yang populer dewasa ini. Hukum Allah harus ditaati dan dilarang tidak taat. Taqwa adalah tingkat paling mulia dalam penerapan hukum Allah dengan jaminan keberhasilan dalam segala aspek kehidupan.

Keywords: *Divine constitution; reactualization; Allah's law; Islamic law.*

Introduction

This study is intended to reveal the perspective of the divine constitution on the actualization of Allah's law. Allah's law is a study that is always important because it is determined by God throughout the world and to avoid the practice of jahiliyyah law.¹ The background of the study is the gap between the legal ideal for realizing justice and the complexity of legal concepts at the factual level. The divine constitution says the application of Allah's law is justice and the violation of it is tyranny.² The struggle of the Prophet Muhammad and the previous prophets was in the context of loyalty to the Divine teachings. After the Prophet has successfully

¹Lajnah, *Al-Qur'an Dan Terjemahannya* (Kementerian Agama Republik Indonesia, 2019), p. 156.

²Lajnah, p. 63 and 823.

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performed his duties, it may be that his people will continue the task or even ignore the teachings of the Prophet.³

The reactualization of Allah's law is one of the problematic issues in the context of religious and state relations for some Muslims. The problem is that religion (textuality of the Qur'an) calls on its people to punish with Allah's law, but the state in its legislation does not use Islamic law (Shari'a), but the Basic Law or constitution.⁴ This problematic issue is even more interesting because Al-Qaradhawi calls the Qur'an a divine constitution⁵ and Khalaf calls it a constitution for man.⁶

Reality shows that there are various laws applied by humans which can be broadly categorized into two groups, namely religious law and secular law.⁷ The details of each of these laws give rise to a very diverse classification that has implications for the existence of Allah's law. The Law of Allah is one of the terms of various other legal terms in Islam. Some other terms are islamic religious law,⁸ islamic sharia, islamic law,⁹ sharia,¹⁰ fiqh,¹¹ hudud Allah,¹² moslem law,¹³ and ad-

³Ahda Bina Afianto, "Negara Madinah: Peradaban Manusia, Bukan Materi" (Surabaya, n.d.), p. 3, https://www.academia.edu/10890005/Negara_Madinah_Peradaban_Manusia_Bukan_Materi.

⁴Munawir, "Tafsir Indonesia Terntang Penerapan Hukum Allah : Studi Pribumisasi HAMKA Terhadap QS. Al-Ma'idah: 44, 45, Dan 47 Dalam Tafsir Al-Azhar," *Nun : Jurnal Studi Alquran Dan Tafsir Di Nusantara* 4, no. 1 (May 4, 2018): p. 82-106, <https://doi.org/10.32495/nun.v4i1.37>.

⁵Yusuf Al-Qaradhawi, *Min Fiqh Ad-Daulah Fi Al-Islam* (Al-Qahirah: Dar Al-Syuruq, 1999), p. 5.

⁶Abdul Wahab Khallaf, *Ilm Ushul Al-Fiqh, Diterjemahkan Oleh Mohammad Zuhri Dengan Judul Asli Ilm Ushul Al-Fiqh* (Semarang: Dina Utama, 1994), p. 23.

⁷Matthijs De Blois, "Religious Law versus Secular Law The Example of the Get Refusal in Dutch, English and Israeli Law," *Utrecht Law Review* 6, no. 2 (June 4, 2010): p. 93-114, <https://doi.org/10.18352/ulr.126>.

⁸Chryssi Sidiropoulou, "Averroes, the Decisive Treatise: The Connection Between Islamic Religious Law and Philosophy Transed. by Massimo Campanini," *Philosophy East and West* 68, no. 3 (2018): p. 1-14, <https://doi.org/10.1353/pew.2018.0094>.

⁹Eugene Volokh, "Religious Law (Especially Islamic Law) in American Courts," *Oklahoma Law Review* 66, no. 3 (2014): 430-58; Prawitra Thalib, "Distinction of Characteristics Sharia and Fiqh on Islamic Law," *Yuridika* 33, no. 3 (2018): p. 439-52, <https://doi.org/10.20473/ydk.v33i3.9459>.

¹⁰Volokh, "Religious Law (Especially Islamic Law) in American Courts"; Thalib, "Distinction of Characteristics Sharia and Fiqh on Islamic Law."

¹¹Thalib, "Distinction of Characteristics Sharia and Fiqh on Islamic Law."

¹²Bakrei Mohammed Bakheet Ahmed, "The Understanding of Hudud Allah in The Qur'an: Study of Thematic-Contextual Interpretation," *Ulul Albab Jurnal Studi Islam* 21, no. 2 (December 29, 2020): p. 337-63, <https://doi.org/10.18860/ua.v21i2.10196>.

¹³Mohi Uddin, "Provisions of the Rights of Inheritance in Special Circumstances in the Muslim Law: An Overview," *Beijing Law Review* 12, no. 01 (2021): p. 205-14, <https://doi.org/10.4236/blr.2021.121012>.

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din.¹⁴ The term Allah's law in the context of religious law and constitution is not only found in the study of Islamic law, but is also found in other aspects, such as Christians and Jews. With regard to this how according to the rules of the divine constitution.

The novelty of this research is known through several recent studies who haven't addressed it specifically. In particular is Mustafa study about Reactualization of Criteria of Wealth in Islam as a Condition for Paying Zakat Maal.¹⁵ De Blois study of "Religious Law versus Secular Law The Example of the Get Refusal in Dutch, English and Israeli Law. De Blois mentions that the prototype of religious law is the revelation of the Torah on Mount Sinai in Exodus.¹⁶ Schraub in his review of Our Divine Constitution mentions that Bart also gives his take on the "political theory" of the Bible. This is one that eschews outright justice in order to maintain a healthy dynamic within the politics whose survival is supposedly invested. Burt extends this observation to constitutional law, which draws no force from its imperative to obedience.¹⁷

Clayton and Steven discusses about "When God Commands Disobedience: Political Liberalism and Unreasonable Religions."¹⁸ Poole conducting studies on "Times and Timelessness in Constitutional Thought."¹⁹ Talib's study highlights "Distinction of Characteristics Sharia and Fiqh on Islamic Law".²⁰ Mubarak conducted a study on democracy from Islamic Law Perspective.²¹ Ahmed study of the understanding of hudud Allah in the Qur'an: study of Thematic-Contextual Interpretation.²² Another study mentions about Muslim law is Allah's command to

¹⁴Fauzan, "Konsep 'Ad-Din' Menurut Naquib Al-Attas," *AlMadaris* 2, no. 1 (2021): p. 120-29.

¹⁵Mustafa, "Reactualization of Criteria of Wealth in Islam as a Condition for Paying Zakat Maal," *AlBayyinah* 6, no. 1 (2022): p. 22-33, <https://doi.org/10.35673/al-bayyinah.v4i2.1269>.

¹⁶De Blois, "Religious Law versus Secular Law The Example of the Get Refusal in Dutch, English and Israeli Law."

¹⁷David Schraub, "Book Review Our Divine Constitution," *Loyola University Chicago Law Journal* 44, no. 4 (2013): p. 1201-69.

¹⁸Matthew Clayton and David Stevens, "When God Commands Disobedience: Political Liberalism and Unreasonable Religions," *Res Publica* 20, no. 1 (February 17, 2014): p. 65-84, <https://doi.org/10.1007/s11158-013-9221-y>.

¹⁹Thomas Poole, "Time and Timelessness in Constitutional Thought," *Res Publica* 27, no. 2 (May 10, 2021): p. 255-70, <https://doi.org/10.1007/s11158-020-09464-2>.

²⁰Thalib, "Distinction of Characteristics Sharia and Fiqh on Islamic Law."

²¹Abdulkadir Mubarak, "Democracy from Islamic Law Perspective," *Kom: Časopis Za Religijske Nauke* V, no. 3 (2016): p. 1-18, <https://doi.org/10.5937/kom1603001>.

²²Ahmed, "The Understanding of Hudud Allah in The Qur'an: Study of Thematic-Contextual Interpretation"; Wan Nor Hana Wan Ismail et al., "Hudud: The Right of Allah SWT in Perspective of Punishment for Adultery," *Journal of Critical Reviews* 7, no. 08 (June 2, 2020): p. 789-92, <https://doi.org/10.31838/jcr.07.08.169>.

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the Muslim Community,²³ Al-Ahkam, syara' law, fiqh, taklifi and wadh'i law.²⁴ Maswanto conducted a study on the actualization and contextualization of Understanding Islamic Law in the Industrial Era 4.0.²⁵ Saputri discusses the reactualization of Munawir Sjadzali's Islamic Law and the Contextualization of Abdurrahman Wahid's Indigenous Islamic Doctrine.²⁶ Maimun examines the actualization of Indonesian Fiqh (Review of the Contribution of Hasbi ash-Shiddieqy's Legal Thought).²⁷

Method

This research is a normative legal research²⁸ With an integrative approach²⁹ and manhaj Rabbani,³⁰ semantic approach,³¹ bayani,³² and approach of legal

²³Uddin, "Provisions of the Rights of Inheritance in Special Circumstances in the Muslim Law: An Overview."

²⁴Dhaifina Fitriani, "Al-Ahkam: Kategori Dan Implementasi," *Tawazun: Journal of Sharia Economic Law* 4, no. 2 (2021): p. 184-95, <https://doi.org/http://dx.doi.org/10.21043/tawazun.v4i1>.

²⁵Akhmad Rudi Maswanto, "Reaktualisasi Dan Kontekstualisasi Pemahaman Hukum Islam Di Era Industri 4.0," *Cendekia Jurnal Studi Keislaman* 5, no. 2 (2019): p. 173-98, <https://doi.org/https://doi.org/10.37348/cendekia.v5i2.71>.

²⁶Apik Anitasari Intan Saputri, "Reaktualisasi Hukum Islam Munawir Sjadzali Dan Kontekstualisasi Doktrin Islam Pribumi Abdurrahman Wahid," *Khuluqiyya: Jurnal Kajian Hukum Dan Studi Islam* 3, no. 1 (January 2, 2021): p. 24-50, <https://doi.org/10.56593/khuluqiyya.v3i1.54>.

²⁷Maimun Maimun, "Reaktualisasi Fiqh Indonesia (Telaah Atas Kontribusi Pemikiran Hukum Hasbi Ash-Shiddieqy)," *AL-IHKAM: Jurnal Hukum & Pranata Sosial* 2, no. 1 (September 28, 2019): p. 31-44, <https://doi.org/10.19105/al-lhkam.v2i1.2613>.

²⁸Tom R. Tyler, "Methodology in Legal Research," *Utrecht Law Review* 13, no. 3 (December 13, 2017): p. 130-41, <https://doi.org/10.18352/ulr.410>; Jamal Bin Yusuf Al-Humaili, *Ana Al-Islam I Am Islam* (Madinah al-Munawwarah: Syibkah al-Alukah, 2018), www.alukah.net; Faisar Ananda Arfa, *Metodologi Penelitian Hukum Islam*, ed. Watni Marpaung (Bandung: Citapustaka Media Perintis, 2010); Mark Hoecke, *Methodologies of Legal Research, Methodologies of Legal Research*, vol. 9, 2014; Philip Langbroek et al., "Editorial Methodology of Legal Research: Challenges and Opportunities," *Utrecht Law Review* 13, no. 3 (December 13, 2017): p. 1-8, <https://doi.org/10.18352/ulr.411>.

²⁹R. R. Palekha, "Integrative Approach in Law Understanding: The History of the Origin of Ideas and the Current State," *Pravosudie / Justice* 2, no. 1 (March 19, 2020): p. 115-30, <https://doi.org/10.37399/issn2686-9241.2020.1.115-130>.

³⁰Al-Humaili, *Ana Al-Islam I Am Islam*; Abi Dāwud, "Sunan Abi Dāwūd Juz 5" (Beirut: Dar Ar-Risalah Al-'Arabiyah, 2009); Abd Wafi Has, "Ijtihad Sebagai Alat Pemecahan Masalah Umat Islam," *Epistemé: Jurnal Pengembangan Ilmu Keislaman* 8, no. 1 (2013), <https://doi.org/10.21274/epis.2013.8.1.89-112>; Muhammad Taufiq, "Pengutusan Muaz Ke Yaman," *Al-Hurriyah* 11, no. 1 (2010): p. 55-57; Muhtar Tajuddin Munawwir and Abdul Muhid, "Analisis Psikologi Terhadap Adab-Adab Guru Dalam Kitab Adab Al-Alim Wa Al-Muta'allim," *Jurnal Pendidikan Islam Indonesia* 5, no. 1 (October 15, 2020): p. 80-97, <https://doi.org/10.35316/jpii.v5i1.233>; Arlis Arlis, "Intensitas Syariah Dalam Negara Berdasar Atas Ketuhanan Yang Maha Esa," *JURIS (Jurnal Ilmiah Syariah)* 15, no. 1 (March 18, 2017): p. 33, <https://doi.org/10.31958/juris.v15i1.486>.

³¹Muhammad Fadhli Musa and Adham Muhammad Ali Hamawiya, "Al-Manhaj Al-Bayani Fiy Tafsir Al-Kasasyaf Lil-Zamaksariy," no. December (2018).

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content analysis. This type of research data is secondary data sourced from offline and online literature. With practical considerations and facilitate the search for legal materials used the Qur'an translated by the Ministry of Religion in 2019 and website tafsirweb.com. Data collection is carried out by the tawsiq (documentation) method. With documentation guidelines tools. Data processing is carried out by means of data inspection (editing), data marking (coding), data reconstruction (reconstructing), and data systematization (sistematising) using internet sources.³³ Reviewed and analyzed with qualitative analysis techniques.

Discussion

Based on a search of the divine constitution obtained data on the mention of the Allah's law. Textual and contextual mentions of Allah's law are very diverse in some epistles and verses. The verses contain a variety of legal rules and basic principles on the actualization of Allah's law. The verses are the main reference in carrying out the reactualization of Allah's law. An explanation of the actualization of God's law based on the divine constitution is placed after the table.

Table.1 Mention of Allah's Law in the Divine Constitution

NO	SURAH NAME	VERSE	SUM
1	Al-Baqarah (2)	25, 124, 142, 178, 179, 188, 213, 228, 229, 230, 231, 233, 285, 286, 275	15
2	An-Nisa (4)	13, 14, 34, 58, 59, 60, 61, 63, 64, 65, 80, 92, 103, 105, 110	15
3	Al-Ma'idah (5)	1, 2, 38, 42, 43, 44, 45, 46, 47, 49, 50	11
4	Al-Anfal (8)	1, 22, 75	3
5	At-Taubah (9)	31, 37, 112	3
6	An-Nahl (16)	44, 64, 90	3
7	An-Nur (24)	1, 2, 3, 48, 50, 51, 52, 54	8
8	Al-Ahzab (33)	35, 36, 59	3
9	Al-Mujadilah (58)	3, 4, 5	3
10	At-Talaq (65)	1, 2, 3, 5	4

Source: Self processed from tafsirweb.com

In addition to the verses found in the table above, there are other verses that also mention the law of Allah, namely Ali Imran (3): 23, 136; Al-An'am (6): 118,

³²Duski Ibrahim, "Metodologi Penelitian Dalam Kajian Islam (Suatu Upaya Iktisyaf Metode-Metode Muslim Klasik)," *Intizar* 20, no. 2 (2016): p. 247-66, <https://doi.org/10.19109/intizar.v20i2.432>; Muhammad Ihwan, "Studi Analisis Ijtihad Rasul SAW Dalam Kitab Ijtihad Rasul SAW," *Istidlal: Jurnal Ekonomi Dan Hukum Islam* 2, no. 2 (October 2, 2018): p. 164-78, <https://doi.org/10.35316/istidlal.v2i2.115>.

³³Sulaksono Sulaksono and Jonaedi Efendi, "The Using of Legal Resource from Internet in the Legal Studies," *Acta Universitatis Danubius Juridica* 18, no. 1 (2022): p. 36-50.

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152; Al-A'raf (7): 26, 31; Yunus (10): 37; Hud (11): 112; Yusuf (12): 40; Ar-Ra'd (13): 39, 41; Ibrahim (14): 4; Al-Isra (17): 32, 33; Al-Kahfi (18): 55; As-Sajdah (32): 24; Yasin (36): 11; Asy-Syura (42): 15; Muhammad (47): 26; Al-Fath (48): 23; Al-Hujurat (49): 9; Al-Hasyr (59): 17; Al-Mumtahanah (60): 3, 10; al-Muthaffifin (83): 12; At-Tin (95): 8, dan Al-Bayyinah (98): 5. Among the legal terms expressed by the interpretation of the divine constitution are: Hudud Allah (Al-Baqarah: 229, 230; At-Taubah: 112; Al-Mujadilah:4; Ath-thalaq:1), Allah's Verse (Al-Baqarah: 231); hukm Allah (Al-Mumtahanah: 10); yahkum (Al-Maidah: 1), hukman (al-Maidah: 50), din Allah (an-Nur: 2), Shari'a laws (Al-Qurthubi), the laws of shari'a, and the laws of qadari. In the context of reactualization, the term that is popular today is Islamic law. This can be known among others from the following studies: first, the study of state and Islamic law.³⁴ Second, the study of islamic law and modernity.³⁵ Third, the study of contemporary Islamic Law.³⁶ Fourth, the study of Ottoman Islamiuc law.³⁷ Fifth, the study of political buzzer in islamic law.³⁸

The divine constitution contains the provision that the actualization of Allah's Law is aimed at the benefit of the world and the hereafter.³⁹ The law of Allah was applied and delivered by His Prophets and Messengers and continued by the clerics. The cleric as the heir of the prophets is known from the historical hadith of Al-Imam At-Tirmidzi in his Sunan number 2681, Ahmad in his Musnad (5/169), Ad-Darimi in his Sunan (1/98), Abu Dawud in hadith number 3641, Ibn Majah in his Muqaddimah was shahied by Al-Hakim and Ibn Hibban.⁴⁰ The only universal and comprehensive general legal system is one that is imbued with God's Law because it has worldly and ukhrawi dimensions and is studied from its source by God-fearing humans.⁴¹ The implementation of the study of Allah's Law uses the

³⁴Mahdi Syahbandir et al., "State and Islamic Law: A Study of Legal Politics on Zakat as a Tax Deduction in Aceh," *Ahkam Jurnal Ilmu Syari'ah* 22, no. 1 (2022): p. 161-84.

³⁵ Rawaa El Ayoubi Gebara, "Islamic Law and Modernity," *Oxford Journal of Law and Religion*, 2017, <https://doi.org/10.1093/ojlr/rwx021>.

³⁶Aldona Piwko, "Contemporary Islamic Law between Tradition and Challenges of Modernity: Some Examples Worth Consideration," *Bogoslovni Vestnik*, 2021, <https://doi.org/10.34291/BV2021/01/PIWKO>.

³⁷Guy Burak, "Ottoman Islamic Law and 'Early Modernity,'" *Journal of the Ottoman and Turkish Studies Association*, 2020, <https://doi.org/10.2979/jottturstuass.7.1.06>.

³⁸Wahyu Abdul Jafar, "Political Buzzer in Islamic Law and Its Impact on Muslim Society," *Hamdard Islamicus* 45, no. 3 (2022), <https://doi.org/10.57144/hi.v45i3.392>.

³⁹Darul Faizin, "Kontribusi Muhammad At-Tāhir Ibnu 'Āsyūr Terhadap Maqāṣid Asy-Syarī'Ah," *El-Mashlahah* 11, no. 1 (June 28, 2021): p. 1-12, <https://doi.org/10.23971/elma.v11i1.2067>.

⁴⁰Abu Usamah bin Rawiyah An Nawawi, "Ulama Pewaris Para Nabi," 2010, https://www.alquran-sunnah.com/artikel/kategori/manhaj/467-ulama-pewaris-para-nabi.html?pid=kondate_bangohan_detail.

⁴¹Lajnah, *Al-Qur'an Dan Terjemahannya*.

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most shahih method with a guarantee of 2 (two) rewards when true and one reward if wrong.⁴²

Allah handed down the Qur'an to Prophet Muhammad SAW. This is informed directly by God in His words in the epistle of Joseph (12) verses 2 and 3 as follows:

إِنَّا أَنْزَلْنَاهُ قُرْآنًا عَرَبِيًّا لَعَلَّكُمْ تَعْقِلُونَ (1) نَحْنُ نَقُصُّ عَلَيْكَ أَحْسَنَ الْقَصَصِ بِمَا أَوْحَيْنَا إِلَيْكَ هَذَا الْقُرْآنَ وَإِنْ كُنْتَ مِنْ قَبْلِهِ لَمِنَ الْعَافِينَ (2)

(1) Verily We derive it as the Qur'an in Arabic, that ye may understand; (2) We tell you (Muhammad) the best story by revealing this Qur'an to you, and indeed you were before that one who did not know.

Based on the above verse of the law it is known that Allah sent down the Qur'an in Arabic to be understood. The history in the Qur'an is a true fact and before the Qur'an was handed down the Messenger did not know this fact. The first commandment handed down was the iqra' command.⁴³ The word iqra' contains a message of command to the Prophet Muhammad and his people to read, read everything in this universe, both written and unwritten.⁴⁴

In the divine constitution commands to be devout (Al-Baqarah: 233). God threatens those who ignore commandments with severe doom (Al-Ma'idah: 2). Allah's command must be carried out, so the Prophet Ismail said patiently, hoping for reward, willing to his Lord, and devoted to his father (As-Saffat: 102). Men are female leaders by requiring them to live God's laws (An-Nisa: 34). Obey the Apostle and ask Allah for mercy (An-Nisa: 64). God tells us to do justice and do virtue (An-Nahl: 90). God takes away the guilt of those who serve Him (At-Talaq: 5). The actualization of Allah's Law is carried out in order to avoid the Law of jahiliyah (Al-Ma'idah: 50). There are provisions of criminal law, orders of faith, and carrying out Islamic laws (An-Nur: 2). Heaven for the one who obeys the law of Allah and the Messenger (An-Nisa: 13). Be to punish the followers of the gospel sent to them Isa with the law handed down by Allah (Al-Ma'idah: 47). The command to obey Allah and obey the Apostle (An-Nisa: 59). The Torah is like a shady tree with dense fruit, used for shelter by prophets who obey the Allah's law (Al-Ma'idah: 44).⁴⁵

⁴²Abi Al-Husain Muslim Bin Al-Hajjaj Al-Qusyairi Al-Naisaburi, *Shahih Muslim* (Beirut: Dar Al-Kutub al-Ilmiah, 2006), p. 721.

⁴³Lajnah, *Al-Qur'an Dan Terjemahannya*, p. 902.

⁴⁴Ahmad Thib Raya, "Tadabbur Atas Surat Al-'Alaq Ayat 1-5: Wahyu Pertama Perintah Membaca," 2020, <https://tafsiralquran.id/tadabbur-atas-surat-al-alaq-ayat-1-5-wahyu-pertama-perintah-membaca/>.

⁴⁵Lajnah, *Al-Qur'an Dan Terjemahannya*, p. 154-55.

God loves people who are just in their laws and decides with justice among His creatures (QS. Al-Hujurat: 9). That wisdom can be captured by sensible people who are devoted to Allah by submitting to God's law (QS. Al-Baqarah: 179). The one who bows down, who commands to do ma'ruf and prevents doing munkar and who keeps the laws of God. Rejoice the believers (QS. At-Taubah: 112). Surrender and obey Allah's commands and accept the decrees of Allah and the Messenger of Allah. (QS. Al-Ahzab: 36). Those are the laws of God, he explained to those who (want) to know (QS. Al-Baqarah: 230). An invitation to submit to the law that Allah has handed down and to the law of the Apostle (QS. An-Nisa': 61). The authority to render legal decisions for all beings is in the hands of God alone (QS. Yusuf: 40).

These laws are God's commandments and His limits, so you shall not violate them (Al-Mujadilah: 4). Indeed, Allah establishes laws according to His will (Al-Ma'idah: 1). Is it not God who ordains the day of decree among men with the wisest decision of the law (At-Tin: 8). Obeying Allah and His messenger in all commandments and prohibitions, being devoted to Allah in living His laws (An-Nur: 51). It is obligatory to punish the Quran and Sunnah and the haram to punish others. It is obligatory and willing to obey the decision of the law of Allah and his Messenger (An-Nisa: 65). Allah's established law, Allah is all-knowing all wise (Al-Mumtahanah: 10).⁴⁷

God commands to fairness and accuracy (An-Nur: 50). Obeys the Apostle has indeed obeyed Allah (An-Nisa: 80). The gospels explain about the laws of Allah (Al-Ma'idah: 46). Sunnatullah means the law of Allah, namely that the believers will win and the infidels will lose (Al-Fath: 23). God establishes laws, no one can resist His statutes; and He is the All-fast One (Ar-Ra'd: 41). The Qur'an was revealed to be made law (An-Nisa: 105). Man needs power from God to carry out His laws (Al-Baqarah; 286). God sanctioned those who disobeyed His law (Al-Mujadilah: 5).⁴⁸

Commit to Allah's sharia (Al-An'am: 152). Carry out Allah's commandments and stay away from His prohibitions (al-A'raf: 26). Convey the trust to those who deserve it (An-Nisa': 58). Prayer is a law of God that must be carried out at predetermined times (An-Nisa: 103). There is an obligation to be devoted to Allah whether in crowded or quiet conditions. Feeling watched over by God in all matters of life, because God is all-knowing of all things.⁴⁹ God's laws are high in degree (*ahkam Allah al'azhimah al-qadr*). Whoever obeys Allah and His messenger in living these and other laws, then Allah will put them into heavens under whose trees flow

⁴⁷Lajnah, *Al-Qur'an Dan Terjemahannya*, p. 800, 143, 901, 497, 119, 812.

⁴⁸Lajnah, p. 800.

⁴⁹Abu Bakar Jabir Al-Jazairi, *Aisar Al-Tafasir Jilid 1* (Jeddah: Jami' Huquq al-Thab' Mahfuzah, 1990), p. 534.

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rivers, he will remain in them. Such is the great reward of victory in the joyful heavens.⁵⁰ All this is very much in line with the theory of maqashid.⁵¹

It is obligatory to obey Allah, Apostle, and leader. It is obligatory to refer to Allah and Hadith in debates regarding creed, worship and justice. Created commendable results and good conditions again happy for Muslims who have referred to the Quran and Hadith in their debates.⁵² True faith requires obedience to God's sharia and condemnation with it in every matter. Who thinks that he has faith but it turns out that he prefers the law of thagut over the law of God, then he is a liar in his confession. Haram punishes other than the Quran and the Sunnah of the Messenger of Allah. Must deny thaghut no matter what form it takes.⁵³

Ibn Abi Hatim narrated from the path of Ikrimah of Ibn Abbas, he said: Jallas bin Shaamit, Mu'tab bin Qusyair, Raafi' bin Zaid and Bisyr claimed to be Muslims, then some of his muslims invited to settle their quarrels to the Prophet, but instead they invited the shamans (the jahiliyyah judges), so Allah sent down the verse. Ibn Jarir narrated from Asy-Sha'biy he said: There had been a quarrel between a Jew and a hypocrite. The Jews said, "Let's solve this problem to the expert in your religion or to the Prophet sallallahu 'alaihi wa sallam", because the Jews knew that He did not take the snob in terms of law, but was rejected instead, so the two agreed to go to a shaman in Juhainah, so the above verse came down. Allah makes His servants feel strange towards the attitude of hypocrites. Namely Ka'ab ibn Al-Asyraf; a Jew hostile to the Prophet sallallahu 'alaihi wa sallam and the muslims. Some say that the meaning of thagut here is Abu Barzah a sorcerer in the time of the Prophet sallallahu 'alaihi wa sallam who used to decide problems among Jews. Including Thaghut is also the one who establishes the law not with the shari'a of Allah and idols.⁵⁴

Those who change the Allah's law that He sent down in His book and hide it and deny and enact other laws by believing it to be lawful and permissible, then they are infidels.⁵⁵ Who do not punish with what Allah passed down in the laws of qishash and other laws, then they are the ones who go beyond the limits of Allah's laws.⁵⁶ Who does not decide matters according to the provisions of Allah, then they

⁵⁰Nukhbah Min Al'Ulama, *Tafsir Al-Madinah Al-Munawwarah* (Madinah: Markaz Ta'dzhim al-Qur'an, 2015), p. 205.

⁵¹Toton Fanshurna, "The Importance of Applying Maqashid Al-Sharia in The Islamic Financial System," *Journal of Islamic Economics Perspectives*, 2022, <https://doi.org/10.35719/jiep.v4i1.58>.

⁵²Al-Jazairi, *Aisar Al-Tafasir Jilid 1*.

⁵³Al-Jazairi.

⁵⁴TafsirWeb, "Baca Al-Qur'an Dan Tafsirnya," 2021, <https://tafsirweb.com/>.

⁵⁵Nukhbah Min Al-Ulama, *Al-Tafsir Al-Muyassar* (Makkah: Majma' Al-Mulk, 2009).

⁵⁶Al-Ulama.

are the zhalim people. Ibn Abbas says, "The ungodliness under the innocence, the kezhaliman under the ungodliness, the ungodliness under the ungodliness, it becomes a great misfortune if it is accompanied by halalness, and a great and grave sin if it is committed without justifying it."⁵⁷ The followers of the gospel, that is, the Nazarenes, should decide the law according to the law handed down by Allah, because before the prophetic command (prophet Muhammad) it was true. As for after the prophetic command, they must practice the Qur'an, because the Qur'an copies all the previously handed down books. Who does not decide something according to what is passed down by Allah, then they are people who are disobedient to Allah Almighty.⁵⁸ The provisions of Allah's law in this context are relevant to the theory of maqashid al-shari'ah.⁵⁹

Allah commanded the judges of the Nazarenes to decide matters by the Allah's law had laid down upon them in the gospel, and that they should not forsake them for the enjoyment of the world or fear of man, or for any other reason they put forward. The Gospel was the correct book before the sending of the Prophet Muhammad, but after the sending of the Prophet Muhammad they had been instructed many times to live what Allah handed down to the Prophet Muhammad in the Qur'an, because the Qur'an abolished all the laws that followed it that were contained in the previous books.⁶⁰ God's command to send the law against the Jews with the law in the Qur'an.⁶¹

Allah commands to make His sharia the foundation of the law. Therein lies goodness, mercy, blessings, and happiness for every servant who obeys him and is ridha. God emphasizes that His law is paramount, so no law can match it. The one who applies the sharia of God is only one who has been convinced, that is, one whose faith has been firmly established in his heart.⁶² Don't make God's laws a game (*huzuwan/naha Allah al-tala'ib bi alahkam al-syar'iyyah*).⁶³ Professing faith but choosing Taghut's Law over Allah's law (An-Nisa: 60). Calamity for people to turn away from the law that Allah has handed down (Al-Ma'idah: 49). Who does not punish with what Allah has handed down in the laws of qishash and others, then

⁵⁷Abdurrahman bin Nashir As-Sa'di, *Taysir Al-Karim Al-Rahman Fi Tafsir Kalam Al-Mannan* (Riyadh: Dar al-Salam, 2002).

⁵⁸Wahbah Al-Zuhaili, *Al-Tafsir Al-Wajiz* (Beirut: Dar al-Fikr, 1996).

⁵⁹Nurhadi Nurhadi, "The Importance of Maqashid Sharia as a Theory In Islamic Economic Business Operations," *International Journal of Islamic Business and Economics (IJIBEC)*, 2019, <https://doi.org/10.28918/ijibec.v3i2.1635>.

⁶⁰Al-Zuhaili, *Al-Tafsir Al-Wajiz*.

⁶¹Al-Ulama, *Al-Tafsir Al-Muyassar*.

⁶²Al-Ulama, *Tafsir Al-Madinah Al-Munawwarah*.

⁶³Al-Jazairi, *Aisar Al-Tafasir Jilid 1*, p. 217-18.

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they are the ones who go beyond the limits (Al-Ma'idah: 45). Do not make the laws of Allah a game, and remember Allah's favor to you (Al-Baqarah: 231).⁶⁴

In the divine constitution there is also a re-actualization of eating (lawful) animals called by Allah's name when slaughtering them (Al-An'am: 118). The laws that Allah has established are between halal and haram (Al-Baqarah: 187). Ibrahim tested his God with a few sentences, then Ibrahim performed them (Al-Baqarah: 124). Allah is mighty in His kingdom, Also all-wise in His commandments and prohibitions (Al-Ma'idah: 38). The repentant believer remains in the command of God and does not go beyond the limits (Hud: 112). People who have kinship with each other, some of them are more entitled to others in matters of inheritance that are in the law of Allah (Al-Anfal: 75). They get this high degree when they are patient at God's command and forsake His prohibitions, preaching to Allah (As-Sajdah: 24). Establish the law fairly. Allah loves just people (Al-Ma'idah: 42). The phenomenon of the reactualization of God's law on a practical level is seen through the following studies; First, the study states that although Indonesia has the largest Muslim population in the world, its public law is more secular than Islamic.⁶⁵ Second, studi tentang Rule of Law and Human Rights Challenges in South East Asia: A Case Study of Legal Pluralism in Indonesia.⁶⁶ Third, studi tentang the call for an Islamic constitution and establishing an Islamic state in Sudan has not been out of religious piety.⁶⁷

There is a rule that the law of spoils of war is absolutely the property of Allah and the Messenger, divided on the basis of general expediency (Al-Anfal: 1). The provisions of the law of Allah and His apostle in order to resolve disputes (An-Nur: 48). The notice that all matters depend on Allah in carrying out His commands (Al-Baqarah: 142). Testify to seek God's blessings. (Ath-Thalaq: 2-3). Obey Allah and His Rasul in commandments and prohibitions, and fear the adverse effects of transgression and worry about God's torment (An-Nur: 52). God is all-forgiving of them for their past deeds when they do not yet know this law; and Allah is Most Loving to them (Al-Ahzab:59).

The divine constitution states that Allah does not like people who are excessive (Al-A'raf: 31). That eternal doom is a reward for those who break the laws

⁶⁴Lajnah, *Al-Qur'an Dan Terjemahannya*, p. 49.

⁶⁵Mirza Satria Buana and Rahmat Budiman, "Indonesia's Minimum Wage Policy After The Omnibus Law: A Comparative Analysis From Islamic Principles," *UUM Journal of Legal Studies* 13, no. 2 (2022): p. 188, <https://doi.org/10.32890/uujls2022.13.2.8>.

⁶⁶Saldi Isra, Ferdi, and Hilaire Tegan, "Rule of Law and Human Rights Challenges in South East Asia: A Case Study of Legal Pluralism in Indonesia," *Hasanuddin Law Review*, 2017, p. 120, <https://doi.org/10.20956/halrev.v3i2.1081>.

⁶⁷Nasredeem Abdulbar, "Identities and Citizenship in Sudan: Governing Constitutional Principles," *African Human Rights Law Journal* 13, no. 2 (2013): p. 383-414.

of Allah (Al-Hasyr: 17). Unless (the desire awaits) the coming of the law (Allah who has passed on) the people of the past or the coming of doom upon them manifestly (Al-Kahfi: 55). Violation of God's law and His sharia (An-Nisa: 110). The laws of Allah at the time of divorce (At-Talaq: 3). The Quran was handed down to explain to man the laws of Allah (An-Nahl: 44).). Explain Shari'a and the laws of Allah (Ibrahim: 4). Laws to remind a person who has faith in God and has faith in the Day of Judgment, because he is a person who can benefit (At-Talaq: 2). Allah explained the virtues of obedience by commanding the Messenger of Allah to say: "Obey Allah by living His laws (An-Nur: 54).⁶⁸

The provisions of God's law are in the form of a suggestion to submit to God's law (An-Nisa: 63). Allah Ta'ala explained about the laws handed down to people so that they would be devout (Al-Baqarah: 188). The book of God that it established a law among them; then part of them turned away, and they always turned their backs (the truth) (Ali 'Imran: 23). Allah instructs people of faith in the truth (Al-Baqarah: 213). God removes and maintains the laws and statutes He wills (Ar-Ra'd: 39).

Allah explained that the prophet's warning would be useful for those who follow the Quran and what is in it from the laws and instructions (Yasin: 11). Clear laws, commandments and prohibitions and great wisdom (An-Nur: 1). The Qur'an (Quran) on the oneness of Allah, the day of resurrection, and other laws of Shari'a (An-Nahl: 64). Heaven is the best reward for one who lives the laws of Allah (Ali 'Imran: 136). The Qur'an justifies the previous book and explains the law (Jonah: 37). Allah explains the command in the Qur'an for Jews, Christians and musyrikins (Al-Bayyinah: 5).⁶⁹

The Qur'an explains various laws and commandments to the Prophet to observe the Shari'ah.⁷⁰ The Qur'an explains the principles of law, both textually and contextually.⁷¹ Allah sent the Qur'an to explain everything, but human knowledge cannot reach all that is described in the Qur'an. The Quran contains everything and the knowledge and problems that arise from it, you will also find verses that lead to it, it contains information about the miracle of the creation of living beings and the kingdom of Allah who rules the heavens and the earth and what exists. in space there are also verses that talk about the afterlife, the names of angels and

⁶⁸Lajnah, p. 507.

⁶⁹Lajnah, p. 904.

⁷⁰Tentiyo Suharto, Asmuni, and Tuti Anggraini, "The Concept of the Qur'an as the Main Source in Islamic Law," *Mudima: Jurnal Multidisiplin Madani*, 2022, p. 955-76.

⁷¹Apip Nur, "Implementasi Prinsip Syariah Dalam Pengawasan Perbankan Syariah Oleh Otoritas Jasa Keuangan," *Ijd-Demos*, 2022, p. 1125-36, <https://doi.org/10.37950/ijd.v4i3.329>.

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apostles and the news of nations, there are also verses that speak from the beginning of man's creation to his death.

Conclusion

The divine constitutional perspective on the reactualization of Allah's Law that the reactualization of Allah's law is the best legal reactualization and has the highest degree containing commandments and prohibitions, halal and haram. The command of the reactualization of Allah's Law in the corridors of tawhid, faith, taqwa, ridha, gratitude, patience, obedience, taubat, fairness, proselytizing and sincerity. It is obligatory to punish with the Qur'an and Sunnah, haram to punish other than both. Historically, before the Qur'an was handed down, the Allah's law was found in the Torah, Zabur, and Gospels. The existence and reactualization of Allah's law is based on God's will. God's law gives goodness, mercy, blessings, and happiness to every obedient servant in the world and hereafter. Prohibition goes beyond the limits in the actualization of Allah's Law. Prohibition makes Allah's law a game. The prohibition of punishing with taghut and jahiliyyah law. The prohibition of zalim, ungodliness, and infidels. Disobedience to Allah's Law results in calamities, adverse effects, doom and torment. The recommendation for the development of research that the best path of carrying out legal research is in the scheme of Allah's law. Re-actualize any research in the field of law on an ongoing basis with the approach of the study of Allah's law. *Allah wa Rasuluhu a'lam.*

References

- Abdulbar, Nasredeen. "Identities and Citizenship in Sudan: Governing Constitutional Principles." *African Human Rights Law Journal* 13, no. 2 (2013): 383-414.
- Abī Dāwud. "Sunan Abī Dāwūd Juz 5." Beirut: Dar Ar-Risalah Al-'Arabiyah, 2009.
- Afianto, Ahda Bina. "Negara Madinah: Peradaban Manusia, Bukan Materi." Surabaya, n.d.
https://www.academia.edu/10890005/Negara_Madinah_Peradaban_Manusia_Bukan_Materi.
- Ahmed, Bakrei Mohammed Bakheet. "The Understanding of Hudud Allah in The Qur'an: Study of Thematic-Contextual Interpretation." *Ulul Albab Jurnal Studi Islam* 21, no. 2 (December 29, 2020): 337-63.
<https://doi.org/10.18860/ua.v21i2.10196>.
- Al'Ulama, Nukhbah Min. *Tafsir Al-Madinah Al-Munawwarah*. Madinah: Markaz Ta'dzhim al-Qur'an, 2015.
- Al-Humaili, Jamal Bin Yusuf. *Ana Al-Islam I Am Islam*. Madinah al-Munawwarah:

Divine Constitution Perspective On the Reactualization ...

Arlis, Zulfan, Zainal Azwar & Arif Taufiq

DOI: 10.35673/al-bayyinah.v7i1.4086

Syibkah al-Alukah, 2018. www.alukah.net.

Al-Jazairi, Abu Bakar Jabir. *Aisar Al-Tafasir Jilid 1*. Jeddah: Jami' Huquq al-Thab' Mahfuzah, 1990.

Al-Naisaburi, Abi Al-Husain Muslim Bin Al-Hajjaj Al-Qusyairi. *Shahih Muslim*. Beirut: Dar Al-Kutub al-Ilmiah, 2006.

Al-Qaradhawiy, Yusuf. *Min Fiqh Ad-Daulah Fi Al-Islam*. Al-Qahirah: Dar Al-Syuruq, 1999.

Al-Ulama, Nukhbah Min. *Al-Tafsir Al-Muyassar*. Makkah: Majma' Al-Mulk, 2009.

Al-Zuhaili, Wahbah. *Al-Tafsir Al-Wajiz*. Beirut: Dar al-Fikr, 1996.

Arfa, Faisar Ananda. *Metodologi Penelitian Hukum Islam*. Edited by Watni Marpaung. Bandung: Citapustaka Media Perintis, 2010.

Arlis, Arlis. "Intensitas Syariah Dalam Negara Berdasar Atas Ketuhanan Yang Maha Esa." *JURIS (Jurnal Ilmiah Syariah)* 15, no. 1 (March 18, 2017): 33. <https://doi.org/10.31958/juris.v15i1.486>.

As-Sa'di, Abdurrahman bin Nashir. *Taysir Al-Karim Al-Rahman Fi Tafsir Kalam Al-Mannan*. Riyadh: Dar al-Salam, 2002.

Ayoubi Gebara, Rawaa El. "Islamic Law and Modernity." *Oxford Journal of Law and Religion*, 2017. <https://doi.org/10.1093/ojlr/rwx021>.

Blois, Matthijs De. "Religious Law versus Secular Law The Example of the Get Refusal in Dutch, English and Israeli Law." *Utrecht Law Review* 6, no. 2 (June 4, 2010): 93-114. <https://doi.org/10.18352/ulr.126>.

Buana, Mirza Satria, and Rahmat Budiman. "Indonesia's Minimum Wage Policy After The Omnibus Law: A Comparative Analysis From Islamic Principles." *UUM Journal of Legal Studies* 13, no. 2 (2022): 197-2014. <https://doi.org/10.32890/uumjls2022.13.2.8>.

Burak, Guy. "Ottoman Islamic Law and 'Early Modernity.'" *Journal of the Ottoman and Turkish Studies Association*, 2020. <https://doi.org/10.2979/jottturstuass.7.1.06>.

Clayton, Matthew, and David Stevens. "When God Commands Disobedience: Political Liberalism and Unreasonable Religions." *Res Publica* 20, no. 1 (February 17, 2014): 65-84. <https://doi.org/10.1007/s11158-013-9221-y>.

Faizin, Darul. "Kontribusi Muhammad Aṭ-Ṭāhir Ibnu 'Āsyūr Terhadap Maqāshid Asy-Syarī'Ah." *El-Mashlahah* 11, no. 1 (June 28, 2021): 1-12. <https://doi.org/10.23971/elma.v11i1.2067>.

Fanshurna, Toton. "The Importance of Applying Maqashid Al-Sharia in The Islamic Financial System." *Journal of Islamic Economics Perspectives*, 2022. <https://doi.org/10.35719/jiep.v4i1.58>.

Fatony, Achmad. "Konsep Taqwa Perspektif Hamka Dalam Tafsir Al Azhar: Telaah Penafsiran Ayat Taqwa Dalam Beberapa Surah Al-Qur'an." UIN Sunan Ampel Surabaya, 2019. <http://digilib.uinsby.ac.id/39104/1/Achmad>

Divine Constitution Perspective On the Reactualization ...

Arlis, Zulfan, Zainal Azwar & Arif Taufiq

DOI: 10.35673/al-bayyinah.v7i1.4086

Fatony_F12517335.pdf.

Fauzan. "Konsep 'Ad-Din' Menurut Naquib Al-Attas." *Al-Madaris* 2, no. 1 (2021): 120-29.

Fitriani, Dhaifina. "Al-Ahkam: Kategori Dan Implementasi." *Tawazun: Journal of Sharia Economic Law* 4, no. 2 (2021): 184-95. <https://doi.org/http://dx.doi.org/10.21043/tawazun.v4i1>.

Has, Abd Wafi. "Ijtihad Sebagai Alat Pemecahan Masalah Umat Islam." *Epistemé: Jurnal Pengembangan Ilmu Keislaman* 8, no. 1 (2013). <https://doi.org/10.21274/epis.2013.8.1.89-112>.

Hoecke, Mark. *Methodologies of Legal Research. Methodologies of Legal Research*. Vol. 9, 2014.

Ibrahim, Duski. "Metodologi Penelitian Dalam Kajian Islam (Suatu Upaya Iktisyaf Metode-Metode Muslim Klasik)." *Intizar* 20, no. 2 (2016): 247-66. <https://doi.org/10.19109/intizar.v20i2.432>.

Ihwan, Muhammad. "Studi Analisis Ijtihad Rasul SAW Dalam Kitab Ijtihad Rasul SAW." *Istidlal: Jurnal Ekonomi Dan Hukum Islam* 2, no. 2 (October 2, 2018): 164-78. <https://doi.org/10.35316/istidlal.v2i2.115>.

Ismail, Wan Nor Hana Wan, Latipah Nordin, Farah Idayu Mohd Salleh, Willibrord Benedict, Mohd Azri Hanafi, Mohd Hafiq Mohd Taib, and Randall GanJia Ren. "Hudud: The Right of Allah SWT in Perspective of Punishment for Adultery." *Journal of Critical Reviews* 7, no. 08 (June 2, 2020): 789-92. <https://doi.org/10.31838/jcr.07.08.169>.

Isra, Saldi, Ferdi, and Hilaire Tegnan. "Rule of Law and Human Rights Challenges in South East Asia: A Case Study of Legal Pluralism in Indonesia." *Hasanuddin Law Review*, 2017. <https://doi.org/10.20956/halrev.v3i2.1081>.

Jafar, Wahyu Abdul. "Political Buzzer in Islamic Law and Its Impact on Muslim Society." *Hamdard Islamicus* 45, no. 3 (2022). <https://doi.org/10.57144/hi.v45i3.392>.

Khallaf, 'Abd al-Wahhab. *'Ilm Ushul Al-Fiqh*. Kuwait: Dar Al-Qalam, 1986.

Lajnah. *Al-Qur'an Dan Terjemahannya*. Kementerian Agama Republik Indonesia, 2019.

Langbroek, Philip, Kees Van den Bos, Marc Simon Thomas, Michael Milo, and Wibo Van Rossum. "Editorial Methodology of Legal Research: Challenges and Opportunities." *Utrecht Law Review* 13, no. 3 (December 13, 2017): 1-8. <https://doi.org/10.18352/ulr.411>.

Maimun, Maimun. "Reaktualisasi Fiqh Indonesia (Telaah Atas Kontribusi Pemikiran Hukum Hasbi Ash-Shiddieqy)." *AL-IHKAM: Jurnal Hukum & Pranata Sosial* 2, no. 1 (September 28, 2019): 31-44. <https://doi.org/10.19105/al-lhkam.v2i1.2613>.

Maswanto, Akhmad Rudi. "Reaktualisasi Dan Kontekstualisasi Pemahaman Hukum Islam Di Era Industri 4.0." *Cendekia Jurnal Studi Keislaman* 5, no. 2

Divine Constitution Perspective On the Reactualization ...

Arlis, Zulfan, Zainal Azwar & Arif Taufiq

DOI: 10.35673/al-bayyinah.v7i1.4086

(2019): 173–98. <https://doi.org/https://doi.org/10.37348/cendekia.v5i2.71>.

Mubarak, Abdulkadir. “Democracy from Islamic Law Perspective.” *Kom : Časopis Za Religijske Nauke V*, no. 3 (2016): 1–18. <https://doi.org/10.5937/kom1603001>.

Munawir. “Tafsir Indonesia Terntang Penerapan Hukum Allah : Studi Pribumisasi HAMKA Terhadap QS. Al-Ma’idah: 44, 45, Dan 47 Dalam Tafsir Al-Azhar.” *Nun : Jurnal Studi Alquran Dan Tafsir Di Nusantara* 4, no. 1 (May 4, 2018): 82–106. <https://doi.org/10.32495/nun.v4i1.37>.

Munawwir, Muhtar Tajuddin, and Abdul Muhid. “Analisis Psikologi Terhadap Adab-Adab Guru Dalam Kitab Adab Al-Alim Wa Al-Muta’allim.” *Jurnal Pendidikan Islam Indonesia* 5, no. 1 (October 15, 2020): 80–97. <https://doi.org/10.35316/jpii.v5i1.233>.

Musa, Muhammad Fadhli, and Adham Muhammad Ali Hamawiya. “Al-Manhaj Al-Bayani Fiy Tafsir Al-Kasysyaf Lil-Zamakhsariy,” no. December (2018).

Mustafa. “Reactualization of Criteria of Wealth in Islam as a Condition for Paying Zakat Maal.” *Al-Bayyinah* 6, no. 1 (2022): 22–33. <https://doi.org/10.35673/al-bayyinah.v4i2.1269>.

Nawawi, Abu Usamah bin Rawiyah An. “Ulama Pewaris Para Nabi,” 2010. https://www.alquran-sunnah.com/artikel/kategori/manhaj/467-ulama-pewaris-para-nabi.html?pid=kondate_bangohan_detail.

Nur, Apip. “Implementasi Prinsip Syariah Dalam Pengawasan Perbankan Syariah Oleh Otoritas Jasa Keuangan.” *Ijd-Demos*, 2022. <https://doi.org/10.37950/ijd.v4i3.329>.

Nurhadi, Nurhadi. “The Importance of Maqashid Sharia as a Theory In Islamic Economic Business Operations.” *International Journal of Islamic Business and Economics (IJIBEC)*, 2019. <https://doi.org/10.28918/ijibec.v3i2.1635>.

Palekha, R. R. “Integrative Approach in Law Understanding: The History of the Origin of Ideas and the Current State.” *Pravosudie / Justice* 2, no. 1 (March 19, 2020): 115–30. <https://doi.org/10.37399/issn2686-9241.2020.1.115-130>.

Piwko, Aldona. “Contemporary Islamic Law between Tradition and Challenges of Modernity: Some Examples Worth Consideration.” *Bogoslovni Vestnik*, 2021. <https://doi.org/10.34291/BV2021/01/PIWKO>.

Poole, Thomas. “Time and Timelessness in Constitutional Thought.” *Res Publica* 27, no. 2 (May 10, 2021): 255–70. <https://doi.org/10.1007/s11158-020-09464-2>.

Raya, Ahmad Thib. “Tadabbur Atas Surat Al-‘Alaq Ayat 1-5: Wahyu Pertama Perintah Membaca,” 2020. <https://tafsiralquran.id/tadabbur-atas-surat-al-alaq-ayat-1-5-wahyu-pertama-perintah-membaca/>.

Saputri, Apik Anitasari Intan. “Reaktualisasi Hukum Islam Munawir Sjadzali Dan Kontekstualisasi Doktrin Islam Pribumi Abdurrahman Wahid.” *Khuluqiyya: Jurnal Kajian Hukum Dan Studi Islam* 3, no. 1 (January 2, 2021): 24–50. <https://doi.org/10.56593/khuluqiyya.v3i1.54>.

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DOI: 10.35673/al-bayyinah.v7i1.4086

- Schraub, David. "Book Review Our Divine Constitution." *Loyola University Chicago Law Journal* 44, no. 4 (2013): 1201-69.
- Sidiropoulou, Chryssi. "Averroes, the Decisive Treatise: The Connection Between Islamic Religious Law and Philosophy Transed. by Massimo Campanini." *Philosophy East and West* 68, no. 3 (2018): 1-14. <https://doi.org/10.1353/pew.2018.0094>.
- Suharto, Tentiyo, Asmuni, and Tuti Anggraini. "The Concept of the Qur'an as the Main Source in Islamic Law." *Mudima: Jurnal Multidisiplin Madani*, 2022.
- Sulaksono, Sulaksono, and Jonaedi Efendi. "The Using of Legal Resource from Internet in the Legal Studies." *Acta Universitatis Danubius Juridica* 18, no. 1 (2022): 36-50.
- Syahbandir, Mahdi, Wais Alqarni, Syahrizal Abbas, Bukhari Ali, and Fauzan Samad. "State and Islamic Law: A Study of Legal Politics on Zakat as a Tax Deduction in Aceh." *Ahkam Jurnal Ilmu Syari'ah* 22, no. 1 (2022): 161-84.
- TafsirWeb. "Baca Al-Qur'an Dan Tafsirnya," 2021. <https://tafsirweb.com/>.
- Taufiq, Muhammad. "Pengutusan Muaz Ke Yaman." *Al-Hurriyah* 11, no. 1 (2010): 55-57.
- Thalib, Prawitra. "Distinction of Characteristics Sharia and Fiqh on Islamic Law." *Yuridika* 33, no. 3 (2018): 439-52. <https://doi.org/10.20473/ydk.v33i3.9459>.
- Tyler, Tom R. "Methodology in Legal Research." *Utrecht Law Review* 13, no. 3 (December 13, 2017): 130-41. <https://doi.org/10.18352/ulr.410>.
- Uddin, Mohi. "Provisions of the Rights of Inheritance in Special Circumstances in the Muslim Law: An Overview." *Beijing Law Review* 12, no. 01 (2021): 205-14. <https://doi.org/10.4236/blr.2021.121012>.
- Volokh, Eugene. "Religious Law (Especially Islamic Law) in American Courts." *Oklahoma Law Review* 66, no. 3 (2014): 430-58.