

The authority of Prophet Muhammad in the Shari'ah

Allah, the Almighty, is the Lord of the Worlds. Nothing can happen without His permission. His knowledge is all-encompassing and absolute. The religion that He has chosen for mankind is none other than Islam as He Himself says, "Surely the (true) religion with Allah is Islam" (Qur'an 3:19). All the laws of Islam are binding till the Day of Judgement.

Allah has given His dear Messenger (sallallahu 'alaihi wasallam) authority in matters of and laws relating to the Shari'ah. The dear Messenger Muhammad (sallallahu 'alaihi wasallam) has been given the authority by Allah to make laws of the Shari'ah. This article will show from the Qur'an and Sunnah and from the precious works of the Scholars of Islam how the Messenger (sallallahu 'alaihi wasallam) exercised this God-given authority.

The article is derived from the brilliant book **Al-amnu wa al-'Ula linaa'it al-Mustafa bidafi' al-Balaa** which was written in 1311 AH by the illustrious Imam of the Ahlus Sunnah **Imam Ahmad Rida Khan al-Barelwi** (rahimahullah). The book is a shining example of the Imam's mastery of the Islamic sciences and his deep love and reverence for the dear Prophet (sallallahu 'alaihi wasallam).

Imam Ahmad Rida has gathered 60 verses of the Holy Qur'an and 300 ahadith of the Messenger (sallallahu 'alaihi wasallam) to show that Rasoolallah (sallallahu 'alaihi wasallam), by the grace of Allah, is the remover of difficulties, a helper in the time of need and the distributor of the blessings of Allah.

May Allah accept this small effort, Aameen!

Muhammad Aqdas

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Imam Qastalani writes that from the specialities (khasais) of the dear Prophet Muhammad is that Rasoolallah (sallallahu 'alaihi wasallam) can pardon anyone he wants from the general rulings of the Shari'ah. (1)

Commenting on this, Imam Zarqani writes that Rasoolallah (sallallahu 'alaihi wasallam) has authority in not some, but all rulings of the Shari'ah for all people. (2)

Imam Jalaluddin Suyuti titles a chapter in his Khasais al-Kubra by calling it Baaba ikhtisasihi sallallahu 'alaihi wasallam biannahu yakhussu man shaa'a bima shaa'a minal

ahkam (Chapter: It is unique to the Prophet (sallallahu 'alaihi wasallam) that he can make specific any ruling for whomsoever he wishes).

The rulings of Shari'ah are governed by Rasoolallah (sallallahu 'alaihi wasallam). He can make an action Wajib (necessary) or he can make it impermissible. He can exempt any person from any ruling he wishes. Imam Abdul Wahhab Sha'rani quotes from Sayyidi Ali Khawas that: "Imam Abu Hanifa did not consider making an intention to be obligatory for wudu and he called the Witr prayer as Wajib. This is because these acts are in the Sunnah and not in the Qur'an. Imam Abu Hanifa wished to differentiate between the actions made obligatory by Allah and those made obligatory by Rasoolallah (sallallahu 'alaihi wasallam) because the act made fard by Allah takes precedence. Allah has given Rasoolallah (sallallahu 'alaihi wasallam) the authority to make any action Wajib, as he wishes. (3)

The following are examples from the ahadith (traditions) of moments where Rasoolallah (sallallahu 'alaihi wasallam) exercised his God-given right of legislating in matters of the Sacred Law.

1. It is not permitted to perform Qurbani (sacrifice) of a goat of less than 6 months old but the Prophet (sallallahu 'alaihi wasallam) allowed Abu Barda to make a sacrifice of a goat that was less than 6 months old. (4)
2. It is Haram (forbidden) to cut the trees of Makka but the Prophet (sallallahu 'alaihi wasallam) allowed Abbas (radiyallahu ta'ala anhu) when he made the request. (5)
3. After the death of her husband, it is Wajib for a wife to wait for 4 months 10 days as part of her iddah. However, the Prophet (sallallahu 'alaihi wasallam) exempted Asma' bint 'Umais from this waiting period. He allowed her to wait only 3 days. (6)
4. The mahr for a nikah must be at least 10 dirhams but when a companion complained he had nothing to give, the Prophet (sallallahu 'alaihi wasallam) told him to teach his wife the Qur'an, that would be his dowry mahr. (7)
5. Rasoolallah (sallallahu 'alaihi wasallam) performed a nikah without a mahr being paid. (8)
6. To make up missed fasts is Wajib but the Prophet (sallallahu 'alaihi wasallam) excused a companion from this. (9)
7. Silk is Haram to wear for men but Rasoolallah (sallallahu 'alaihi wasallam) gave permission to both Zubair bin al-Awaam and Abdur Rahman ibn 'Awf due to their rash. (10)
8. Gold is Haram to wear for men but Baraa' bin Aazib was given permission to wear a gold ring. Moreover, Rasoolallah (sallallahu 'alaihi wasallam) put the ring on the

companions finger with his own blessed hands. (11)

9. Booty from Jihad is only for those who fought but the Prophet (sallallahu 'alaihi wasallam) gave 'Uthman booty eventhough he did not participate in Badr. (12)

10. Rasoolallah (sallallahu 'alaihi wasallam) gave permission to Umm 'Atiya to do Nawha (prohibited mourning) with those who had done it for her own family in the Period of Ignorance. (13)

11. 'Asma bint Yazid was given the same permission (of Nawha). (14)

12. The witnessing of Khuzaima bin Thabit alone was made equal to the witnessing of two people for his whole life. (15)

13. Rasoolallah (sallallahu 'alaihi wasallam) gave permission for the wife of Abu Hudhaifa to give her breast milk, in a cup, to their adult adopted son, Saalim, so that he may live in their home. (16)

The Ummahat al-Mu'mineen said this was Rasoolallah's (sallallahu 'alaihi wasallam) special ruling for Saalim and is for nobody else.

14. Rasoolallah (sallallahu 'alaihi wasallam) said that if it was not for the weak, I would have delayed this prayer ('Isha) to the middle of the night. (17)

15. Rasoolallah (sallallahu 'alaihi wasallam) said that if I say Hajj is fard every year, it would become fard every year. (18)

16. 'Ali was allowed in the mosque by Rasoolallah (sallallahu 'alaihi wasallam) even in the state of major ritual impurity (janaba) eventhough this is Haram for others. (19)

17. Suraqa was allowed to wear gold bracelets (as Rasoolallah had foretold from the knowledge of the Ghayb [unseen] that Allah has given to him). 'Umar put the bracelets on Suraqa's hands. (20)

18. 'Ali was ordered by the Prophet (sallallahu 'alaihi wasallam) himself to give his son both the name of the Prophet (Muhammad) and his kunniya (title of Abul Qasim) eventhough joining the two is forbidden for others. (21)

19. Hibban bin Munqadh bin Umro Ansari or his father Munqadh told Rasoolallah (sallallahu 'alaihi wasallam), "I too often get conned and get charged too much for commodities that I buy". Rasoolallah (sallallahu 'alaihi wasallam) inaugurated a specific ruling for him that he should tell sellers that he has been allowed by Rasoolallah (sallallahu 'alaihi wasallam) to cancel a contract for upto 3 days after it is made. (22)

20. There is no prayer after 'Asr (23) but the 'ulema (24) write that Rasoolallah (sallallahu 'alaihi wasallam) had exempted his wife 'Aisha from this ruling. (25)

21. Rasoolallah (sallallahu 'alaihi wasallam) said to his cousin Daba'a bint Zubair ibn Abdul Muttalib to prepare for Hajj. She said that she fears she is too ill to fulfil the duties of Hajj. Rasoolallah (sallallahu 'alaihi wasallam) told her to prepare regardless and make the intention that, "Oh Allah! Wherever you stop me, I will come out of Ihram". (26) It is in Sunan Nasa'i that Rasoolallah (sallallahu 'alaihi wasallam) said, "Your exemption is accepted by Allah".

The 'ulema write that this was an exception. This intention is not valid for anyone else.

22. Rasoolallah (sallallahu 'alaihi wasallam) allowed a man to enter into Islam eventhough he said he would offer only two of the five prayers. (27)

Imam Suyuti has noted 9 other similar incidents in his al-Mawdhuj al-Labeeb fi Khasais al-Habeeb.

23. Khuzaima, the person whose witnessing Rasoolallah made worth two witnesses, said that the period for wiping over the leather socks was fixed by Rasoolallah (sallallahu 'alaihi wasallam) as 3 days for the traveller but if the questioner had asked for more, Rasoolallah (sallallahu 'alaihi wasallam) would have allowed 5 days. (28)

24. Rasoolallah (sallallahu 'alaihi wasallam) said that if it would not have been difficult for my ummah, I would make it fard to do Siwaak before each prayer. (29)

25. Rasoolallah (sallallahu 'alaihi wasallam) said that if it would not have been difficult for my ummah, I would make it fard to do Siwaak and put on scent before each prayer. (30)

These 25 incidents prove that the dear Prophet (sallallahu 'alaihi wasallam) was given authority in the rulings of the Shari'ah. The following narrations show that Rasoolallah (sallallahu 'alaihi wasallam) not only changed rulings but referred to himself as the one who makes Halal and Haram.

26. Rasoolallah (sallallahu 'alaihi wasallam) asked his companions, "What do you say about Zina?" They said it is Haram because Allah and His Messenger have made it Haram until the Day of Judgement. (31)

27. Rasoolallah (sallallahu 'alaihi wasallam) said that I have made Haram the violation of the rights of the orphan and women. (32)

28. Jabir bin Abdullah narrates that the Prophet (sallallahu 'alaihi wasallam) said, "Indeed Allah and His Apostle made illegal the trading of alcohol, dead animals, pigs and the worshipping of idols". (33)

29. Rasoolallah (sallallahu 'alaihi wasallam) said that do not drink of the intoxicants, indeed I have made Haram all intoxicants. (34)

30. Whatever was made Haram by Rasoolallah is like that which was made Haram by Allah. (35)

31. Imam Zarqani writes that, "To call Rasoolallah the Shaari' is well known because Rasoolallah made the laws of the religion". (36)

To end with the undeniable proof, Allah, the Almighty, says about His beloved:

"Whatsoever the Messenger gives you, take it, and whatsoever he forbids you, abstain from that"
(37)

Footnotes:

1 Mawahib al-Laduniya, vol. 2, p.689

2 Zarqani 'ala al-Mawahib, vol. 7, p.346

3 Mizan al-Kubra, Chapter of Wudu, vol. 1, p.83

4 Sahih Bukhari, vol. 2, hadith 75

5 Sahib Bukhari, vol. 2, hadith 432

6 Tabqat ibn Sa'd, vol. 5, p.46, Kanz al-'Ummal, vol. 9, p.250, Nihaya, vol. 2, p.387, Musnad Ahmad, vol. 6, p.438

7 Nasa'i, vol. 3, p.312-313, Sa'eed bin Mansur fi Sunan, vol. 1, p.176, ibn Hajar fi al-Asabah, vol. 4, p.198

8 Abu Dawud

9 Sahih Bukhari, vol. 3, hadith 157

10 Sahih Bukhari, vol. 4, hadith 171

11 Sahih Muslim, vol. 2, p.179, Musannaf Abdur Razzaq, vol. 6, p.65

12 Sahih Bukhari, vol. 4, hadith 359

13 Sahih Muslim, vol. 1, p.304

14 Tirmidi, vol. 2, p.166

15 Sahih Bukhari, vol. 4, hadith 62, Kanz al-'Ummal, vol. 13, p.379, Musannaf Abdur Razzaq, vol. 8, p.366, Tabrani fi Kabir, vol. 22, p.316, Hakim fi Mustadrik, vol. 2, p.16

16 Sahih Muslim, vol. 1, p.469

17 Abu Dawud, vol. 1, p.61, ibn Majah, p.50

18 Tirmidi, vol. 1, p.100, ibn Majah, p.213, Nasa'i, vol. 2, p.1

19 Tirmidi, vol. 2, p.214

20 Dalail an-Nubuwwah lil Baihaqi, vol. 6, p.364

21 Tirmidi, vol. 2, p.111, Abu Dawud, vol. 2, p.323, Kanz al-'Ummal, vol. 4, p.29

22 Sahih Muslim, vol. 2, p.7

23 Sahih Bukhari, vol. 3, hadith 215

- 24 Imam Suyuti and Imam Zarqani in Sharh Mawahib
- 25 Sahih Bukhari, vol. 2, hadith 325
- 26 Tabrani fi Kabir, vol. 24, p.332-337
- 27 Musnad Ahmad, vol. 5, p.25
- 28 Abu Dawud, vol. 1, p.21, ibn Majah, p.42, Tabrani fi Kabir, vol. 1, p.92, Sunan Baihaqi, vol. 1, p.277, Hameedi fi Musnad, vol. 1, p.207, Musannaf Abdur Razzaq, vol. 1, p.203
- 29 Sahih Bukhari, vol. 3, hadith 154, Sahih Muslim, vol. 1, p.128, Nasa'i, vol. 1, p.63, ibn Majah, p.28, Muwatta Imam Malik, p.50, Musnad Ahmad, vol. 2, p.248
- 30 Abu Na'eem fi Kitab as-Siwaak
- 31 Musnad Ahmad, vol. 6, p.8, Tabrani fi Kabir, vol. 20, p.211
- 32 Hakim fi Mustadrik, vol. 1, p.63, Kanz al-'Ummal, vol. 3, p.169
- 33 Sahih Bukhari, vol. 3, hadith 438, Sahih Muslim, vol. 1, p.23
- 34 Nasa'i, vol. 2, p.323, Kanz al-'Ummal, vol. 5, p.343
- 35 Tirmidi, vol. 2, p.95, Abu Dawud, vol. 2, p.276, ibn Majah, p.3, Musnad Ahmad, vol. 4, p.132, Darimi, vol. 1, p.53
- 36 Zarqani 'ala al-Mawahib, vol. 4, p.196
- 37 Al-Qur'an, Sura al-Hashr, verse 19