

Muslims' Responses towards Orientalists' views on Hadis as the Second Source of Law in Islam with special Reference to Mustafa al-Siba'i's Criticism Toward Ignaz Goldziher's Viewpoints

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Abstract: One of the orientalist's objects in learning Islam is hadis as the second source of law in Islam. Ignaz Goldziher is the most representative and notable orientalist to talk and criticize hadis as rather scientific research of the second and third century of Hijriyah than originally steamed from the original source, he is prophet Muhammad. On the other hands, most of Muslim scholars strongly objected to such viewpoint. One of those who disagreed to the accusation is Mustafā al-Sibā'iy. He proved the authenticity of hadis by conveying the historical approach argumentations. He had a conclusion that historically, hadis transmission had been started since the prophet Muhammad's period though he never officially assigned to his companions but they intensively wrote hadis as a self-documentation. To strengthen his theory, he offered some rational argumentations; (1) traveling (*riḥlah*) tradition (2) tracing *isnād* (link) of hadis (3) authenticity of hadis (*tauthūq al-ḥadīth*) (4) narrator criticism methodology.

Key words: orientalist, hadis, law, muslim scholar

A. Introduction

Many experts have different viewpoints of when and who was originally the first Western learner to Islam. Some said that it began from the Mu'tah war (8 H), while some others said that it started from Tabūk war (9 H) when the first contact between Romanians and Muslims happened. However, some other experts commented that it occurred when the crush side broke in Andalusia (488 H), mainly after King Alphonse VI had dominated Toledo in 488 H/1085 A.C. The others also agreed that it had continuously been taking place since the Europeans felt distorted by the expanse of Muslim after the falling down of

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Istanbul in 857 H/1453 A.C. under the Muslim empire. The European needed to block the Muslim's expansion.¹

However, the matter to be noted is that the people like Jerbert de Oraliac (938-1003 A.C.), Adelard (1070-1135 A.C.), Pierre Le Venerable (1094-1156 A.C.), Gerard de Gremona (1114-1187 A.C.), Leonardo Fibonacci (1170-1241 A.C) had ever lived in Andalusia to learn Islam at the leading cities such as Toledo, Cordova, Seville, and etc.. At that time they came back to their hometown, it was still dominated by Andalusia, they informed European countries about Islam. Jerbert de Oraliac established two Arabic schools and he himself was as a Pope Silvestre II (999-1003 A.C.). Both were at Romania, where he took an office and another one was in his hometown, France. Even, Robert of Chester (popular between 1141-1148 A.C.) and his colleague, Herman Alemanus (d. 1172 A.C.) after their coming back from Andalusia, both translated al-Qur'an into Latin language and assisted by a number of Arabian scholars based on the suggestion of Pope Silvestre II. Such translation was the first attempt in the history. Such names were quite remarkable among the European countries as the first period scholars who had focused on studying Islam that later were called as orientalist.²

The orientalist's interests in studying Islam had a wide range of object to almost all central aspects of Islamic studies. Some intensively focused and criticized on the cases concerning to the theology of Islam. Some others more focused their studies and criticized on al-Qur'an, while, the rest were more interested in criticizing the originality and existence of *sunnah* (*ḥadīth*).³

Moreover, they had not only questioned the originality of al-Qur'an but also focused their criticism toward the second

¹Ali Mustafa Yaqub, *Kritik Hadis* (Jakarta: Pustaka Fidaus, 1995), p. 7.

²Najīb al-'Aqīqy, *al-Mustashriqūn* (Cairo: Dār al-Ma'ārif, nd.), p. 110-117

³See Maḥmūd Hamdy Zaqqūq, *al-Istishrāq wa al-Khalfiyāt al-Fikriyyah li al-Shirā al-Ḥaḍāry* (Qatar: Kitāb al-Ummah, 1983), p. 83. In fact, the attempt got a positive respond from other orientalist like D.S. Margoliouth in his work "*The Early Development of Islam*," and Prof. J. Schacht in his work "*The Origin Muhammadan Jurisprudence*." See also Fazlur Rahman, *Islam* (Chicago: The University of Chicago Press, nd.), p. 46-47.

source of Islamic law, *al-Sunnah*.⁴ Among the orientalist who was interested in studying Islam studies and had an intensive attention to discredit *sunnah* was Ignaz Goldziher, a Hungarian orientalist who was regarded as the most representative expert in *hadis* by other orientalist because of his some seminal views on this second source of Islamic law.

M. H. Zaqzuq, in his "*al-Istishrāq wa al-Khalfiyat al-Fikriyyah li al-Shirā al-Ḥadāry*," noted that John Feuck in his "*Encyclopedia of Islam*" honored Goldziher's exceedingly efforts by stating, "Science is supposed to thank him because of his works on *hadis*". His knowledge on *hadis* put more influence on the orientalist compared to that of his colleagues. He has more to offer in determining and developing a research intensively on Islamic studies.⁵

Moreover, this study is going to direct a European leading intellectual, Ignaz Goldziher, particularly on his viewpoint toward *hadis* which invited pros and con either among the European scholars or Muslim scholars including Mustafa al-Sibā'iy, the twentieth Syrian Muslim scholar. He tried to give a scientific argumentation to the orientalist's accusation in their attempt to strip off Islam from its main institutional source and give rational discussions according to the historical fact of the Islamic world particularly the tradition of the earliest period of Islam (Approximately at the first and second century of *Hijry*).⁶

⁴What is meant by *al-sunnah* in this context is more similar to the meaning of the word *al-ḥadīth*. It is an information which consecutively linked to prophet Muhammad either in the form of oral, action, character or admiration of him. Technically, the terms *sunnah* and *ḥadīth* are similar. However, if it should be differentiated between *sunnah* and *ḥadīth*, *sunnah* is frequently emphasized the prophet's deed, while *hadis* has more general connotation includes deed and oral. So, *hadis* has more common orientation than *sunnah*. See Ṣubḥy al-Ṣāliḥ, '*Ullūm al-Ḥadīth wa Muṣṭalāḥuh*' (Beirut: Dār al-'Ilm li al-Malāyīn, 1978), p. 6. In relation to *sunnah*, Fazlur Rahman interprets *sunnah* is either as the living tradition of prophet Muhammad or the morality values of the normative institution. See Fazlur Rahman, *Islam*, p. 48.

⁵Maḥmūd Hamdy Zaqzūq, *al-Istishrāq*, p. 83.

⁶The other figures other than al-Sibāi who tried to give intellectual respond toward Goldziner's opinion about *hadis* are Muḥammad 'Ajjāj al-Khaḍīb in his work "*al-Sunnah qabla al-Tadwīn*," and Muḥammad Muṣṭafā 'Azamy (a professor

Goldziher, as included on his book entitled "*Muslim Studies*" (the translation of his original book "*Muhammedanische Studien*" and also more written down on Fazrul Rahman's work "Islam") viewed that most of the narrations of *hadis* were not the product of the earliest period of Islam but rather a valuable work of the golden age of Islam mainly in relation to the religious, social, and historical cases of the first and the second *Hijriah*. He declared:

"A portion that may genuinely be referred either to the prophet or his companions and that the *hadis* is to be regarded rather as record of the views and the attitudes of early generation Muslim that of the life and the teaching of the prophet or even of his companions. The phenomenon of the *hadis* goes back to the earliest of Islam and even conceded the possibility of the existence of informal *hadis* record contemporaneous with the prophet."⁷

B. Ignaz Goldziher's Viewpoint on *Hadis*

Ignaz Goldziher's viewpoints toward *hadis* as he mentioned on his work "*Muslim Studies*" are as follows:

of King Saud Riyad University) in his own book "*Studies in Early Hadith Literature*," See Ali Mustafa Yaqub, *Kritik Hadis*, p. 16.

⁷This surprising statement can be found in his work as well as in that of Ignaz Goldziher, *Muslim Studies*, tran. C. R. Barber and S. M. Stern (London: George Allen Press, 1971), p. 19. it can also be found in many pages of Schacht's "*An Introduction to Islamic Law*," in which he stated that experts' movement of *hadis* in the second century was naturally the product of Muslim scholars which linked to the opposition movement inspired by the classical jurists. The main thesis of experts of *hadis* is that the formal or oral statements of Prophet Muhammad are supposed to outclass the jurisprudence formulations. Therefore, the experts of *hadis* made detailed formulations which were claimed as the narrations from people who witnessed and listened directly the saying and action of the Prophet then transmitted it orally from one to another without interruption (*sanad muttasil*) linked to prophet through the most acceptable and trustworthy narrators (*ṣaḍīq*). Therefore, it is extremely difficult to say that *hadis* related to Islamic law can be justified as sound *hadis* (*ḥadīth ṣaḥīḥ*). The jurists are on the opinion to the viewpoints of experts of *hadis* claiming that *hadis* was originated from Prophet Muhammad. See J. Schacht, *An Introduction to Islamic Law* (Oxford: The Clarendon University Press, 1964), p. 11.

1. "The hadis will not serve as a document for the history of the infancy of Islam, but rather as a reflection of the tendencies which appeared in the community during the mature stages of its development. It contains invaluable evidence for the evolution of Islam during the years when it was forming itself into an organized whole from mutually, powerfully opposed forces. This makes the proper appreciation and study of hadis so important for an understanding of Islam, in the evolution of which the most notable phrases are accompanied by successive stages in the creation of the hadis."⁸

Toning with Goldziher, his disciple Joseph Schacht,⁹ a Jewish orientalist, also orientated his study to *hadis* with the result of the research "*The Origin Muhammadan Jurisprudence*" (1950 A.C.), then "*An Introduction to Islamic Law*" (1964 A.C.). Within his two spectacular works, Schacht had presented the result of his study about *hadis* and he had come up with the conclusion that prophet's tradition, particularly those related to Islamic law, was later invention of Muslim scholars in the second and third century Hijriyah.¹⁰ He said:

"The hadis will not serve as a document for the history of the infancy of Islam, but rather as a reflection of the tendencies which appeared in the community during the mature stages of its development. It contains invaluable

⁸Ignaz Goldziher, *Muslim Studies*, p. 19. what regarded as a hadis by majority of Muslim is actually an intellectual research of prophet's companions. It can be found in many parts of his books.

⁹Joseph Schacht is an expert of Islamic law who had conducted many researches in the field of history of Islamic law. His many opinions are contradictory to the opinions of Muslim experts of hadis and classical jurists. In his researches, Schacht referred hadis to jurisprudence. He studied *Muwatta'* (Imam Mālik), *al-Muwatta'* (Imam Muḥammad al-Shaybānī), *al-'Umm* (Imam al-Shāfi'iy). See Muḥammad Mustafā 'Azamy, *Dirāsah fī al-Ḥadīth al-Nabawī wa Tārīkh Tadwīnīh* (Beirut: al-Maktabah al-Islāmy, 1980), p. 398.

¹⁰J. Schacht, *An Introduction to Islamic Law*, p. 57. See also Faisal Ananda Arafa, *Sejarah Pembentukan Hukum Islam: Studi Kritis tentang Hukum Islam di Barat* (Jakarta: Pustaka Firdaus, 1996), p. 20.

evidence for the evolution of Islam during the years when it was forming itself..."¹¹

Schacht referred to Goldziher's viewpoint about hadis that at the early period the animosity and dispute had happened between Umayyad regime and Muslim scholars. Consequently, remarkable *passim* took place everywhere. Responding to this uncertain circumstance, Muslim scholars spread *hadis* which tended to advocate and praise *ahl al-bait* which discredit the Umayyad regime.¹² In "*Muslim Studies*," Goldziher mentioned:

"This is an Instruction given to his Obedient governor al-Mughīrah by Mu'āwiyah I in the spirit of the Umayyad, 'Do not be tired of abusing and insulting 'Aly and calling for God's mercy for 'Uthmān, defaming companions of 'Aly, removing them and refusing to listen to what they tell and propagate as hadis: praising, in contrast, the clan of 'Uthmān, drawing them near to you and listening to them.'"¹³

According to him, the regime's motivation in spreading the hadis was more aimed at dishonoring the fourth rightly guided caliph, 'Aly ibn Abī Tālib in order not to undermine their authority as well as counteract the hadis which exalted him. However, since the Umayyad regime had no enough power to do what caliph Ali did, they exploited Muslim scholars to win heart and mind of Muslim community by inventing hadis and to gain the Muslim community's approval for their campaign in assassinating *ahl al-bayt*.¹⁴

2. Goldziher alleged that as a leading figure of Muslim scholar and narrator, al-Zuhry (51-124 H) had politically been exploited by Umayyad regime, at that time was under 'Abd al-Mālik ibn Marwān (685-705 A.C.), one of caliphs of Umayyad dynasty to fabricate a hadis. The content of that

¹¹Ignaz Goldziher, *Muslim Studies*, p. 19.

¹²*Ibid.*, p. 43-44..

¹³*Ibid.*, p. 44. the statement is cited by Muṣṭafā al-Sibā'iy, see Muṣṭafā al-Sibā'iy, *al-Sunnah wa Makānatuhā fī Tashrī' al-Islāmy* (Beirut: al-Maktabah al-Islāmy, 1985), p. 191.

¹⁴*Ibid.*

hadis is "it's not commanded to go except going to three mosques, mosque of *al-Haram* (Mecca), mosque of *Nabawi* (Medina) and mosque of *al-Aqṣā* (Jerusalem)".¹⁵

According to Goldziher, the caliph worried about the moves of 'Abd al-Mālik ibn al-Zubair who proclaimed himself as the caliph in Mecca. Ibn Zubair would order people of Syam (Syria and its surroundings) who were performing pilgrimage to Mecca to take oath of allegiance to him. The caliph urged people of Syam not to go to Mecca. Instead, the pilgrims would visit Qubbah Sakhra in al-Quds (Al-Aqsa Mosque) which was in Syam's region at that time.¹⁶ This means that the Umayyad regime get a political justification from as many Muslim scholars as possible.

Another example is several documents on the hand of al-Khatib al-Baghdādī. The news was historically narrated from different ways like from 'Abd al-Razzāq (211 H) from Ma'mar ibn Rashīd (154 H). They mentioned that al-Walid ibn Ibrāhīm had once come to al-Zuhry while he was carrying a sheet of falsified written hadis. Hereinafter, he asked al-Zuhry to give license (*ijāzah*)¹⁷ to narrate the hadis. Then al-Zuhry gave the license with no doubt by saying, "No one can report the content of the *hadis* but me."¹⁸

Goldziher claimed that Umayyad regime tried to manipulate al-Zuhry on the ground of giving legitimacy for the regime's political actions from legal-orthodox

¹⁵Muḥammad ibn Ismā'īl al-Bukhārī, *Ṣaḥīḥ al-Bukhārī*, Vol. I (Beirut: Dār al-Ma'rifah, nd.), p. 206.

¹⁶Ignaz Goldziher, *Muslim Studies*, p. 44.

¹⁷The term *ijāzah* is quite well-known among the experts of hadis to determine that a student has been approved by his master to transmitted, teach as well as to spread the hadis from his teacher.

¹⁸How the Umayyad made it their business to put into circulation hadith which seemed to them desirable, and how people like pious al-Zuhry acquiesced in being their tools- though they certainly were not guided by selfish motives but merely by reasons of state expediency- is to be seen from evidence preserved by al-Khatib al-Baghdadi which deserves our observation in this context. Here we find an account which is handed down by various ways from Abd al-Razzāq (d. 211), a disciple of Ma'mar ibn Rashid(d. 153). See Ignaz Goldziher, *Muslim Studies*, p. 46-47.

perspective. At the same time, god-fearing (*taqwa*) preoccupied al-Zuhry's mind if he went with the request. On the other hands, he could not refrain from the circle of Umayyad regime. Goldziher noted that imam al-Zuhry had once said "these emirs forced people to write hadis or (in Arabic) *akrahanā 'alayni hā'ulā'i al-Umara'*".¹⁹

In orientalisks' observation, the statement indicated al-Zuhry's concern and sorrow by giving a positive respond toward the government's request on the basis of his popularity among Muslims. Based on the government's observation, al-Zuhry is not a difficult scholar to huddle up. Even, Goldziher said that Muslim scholars are to cooperate entirely to the regime. He never rejected any invitation to visit the caliph's palace. He had frequently emerged behind the caliph. He was often found together with Ḥajjāj ibn Yūsūf's entourage when they performed pilgrimage. Under Yazīd II, he was appointed as a judge. Al-Zuhry, during his tenure as a judge, just kept silent as if he had not known to decadence happened in his surrounding. He was not pertained as a Muslim scholar who dared to criticize any wrong conducts and lecherous' done by the caliph and court circle though among many experts of *hadis* assumed that one who accepted the position as a judge at the time was not trusted figure.²⁰

In his book "*Muslim Studies*", Golziher did not merely criticize *hadis* in general, but also threw many of his criticisms to the classical hadis collection which are quite popular among the Muslim community like *Ṣaḥīḥ al-*

¹⁹*Ibid*, p. 47.

²⁰Goldziher, in his book, asserted that there was a common assumption among Muslim community that whoever accepting the position as a judge, he had been tempted by a worldly interest (*man ittaba' al-sulṭān iftanān*). There is also a note cited from al-Nasa'i, II, 139. That whoever agreed to accept a position as a judge, he could legally be slaughtered with no knife (*fa qad dhubih bi ghair sikkīn*), or in his own language *He who accepts office as judge is like someone who is being slaughtered without knife.* In this space, Goldziher tried to describe the tension between Muslim scholars and the officials. They had not harmonious relationship. See Ignaz Goldziher, *Muslim Studies*, p. 48.

Bukhāry-Muslim and *Muwattaʿa* (compiled by Imam Mālik). After criticizing *matan* (content of *hadis*), he then conversed that those *hadis* compilation were so spurious. It seems that in this research, Goldziher cited many *hadis* compilations as well as classical art books.

C. The Influence of Goldziher's Viewpoints on *hadis* studies

As a result, opinions of Goldziher concerning *hadis* has a deep influence not only among the orientalist but also for some Muslim thinkers. Following Goldziher's path Joseph Schacht, an orientalist studying Islamic law, is extremely famous of his "*Projecting Back*" theory (rear projection) and comes to the conclusion that *hadis*, which is the main source of Islamic law, does not refer to prophet Muhammad's tradition but merely the scientific work of Muslim scholars in the second and third century of Hijrah. In his masterpiece entitled "*The Origin Muhammadan Jurisprudence*" he commented:

"The best way to proving that a tradition did not exist at a certain time, is to show that it was not used as a legal argument in discussion which would have made reference to it, if it had existing".²¹

While, in "*An Introduction to Islamic Law*", he affirmed that the movement of *hadis* experts at the second century represented a natural result and continuity from an opposition movement inspired by classical jurisprudence works. Therefore, experts of *hadis* made inch statements that many *hadis*, which were merely chain of narration of the eyewitnesses who reportedly to have witnessed or heard the Prophet's word and action directly, so that they were verbally accepted by linked trustworthy narrators (*sanad muttasil*). That is why the existence of sound *hadis* (*hadis sahih*) can not be justified.²² It seems that J. Schacht is deeply influenced by Goldziher's way of reasoning. It can be proved by some references he cited to criticize *hadis*.

The same as both, D. S. Morgoliouth, in his work entitled "*Early Development of Islam*", had the same conclusion that *hadis*

²¹J. Schacht, *The Origin of Muhammadan Jurisprudence*, p. 140.

²²J. Schacht, *An Introduction to Islamic Law*, p. 11.

is rather representing as the scientific research of Muslim scholars of the second century of Hijriyah than prophet's tradition.²³

Among the Muslim figures that are influenced by Goldziher is Ahmad Amin, a reputable Muslim thinker of Egypt. In his work "*Fajr al-Islām*", he apparently follows many paths of Ignaz Goldziher's thought in criticizing hadis.²⁴ There is also Maḥmūd Abū Rayyah, an Egypt thinker who is quite famous by his work "*Adwā 'alā al-sunnah al-Muḥammadiyyah*." He is bold enough in criticizing hadis. The criticism he cited tends to follow Goldziher's method of thinking.²⁵ Syeikh Muḥammad al-Ghazālī, either in his work "*al-Sunnah al-Nabawiyyah bain Ahl al-Fiqh wa Ahl al-Ḥadīth*" or the discussion he performed in many places of Cairo, also criticized hadis using the principles which had previously been introduced by Ignaz Goldziher even though he cannot be categorized to have been faithful disciple of orientalist's theories.²⁶

To expostulate the ideas on hadis advanced by orientalist, Muslim thinkers like Fazlur Rahman responded in his work "*Islamic Methodology in History*." He expostulated a view of J. Schacht by converting that the hadis transfer from informal into semi-formal is meant that the discussion about prophet Muhammad was conducted intentionally and constantly. The transmission, however, remains without entangling any verbal formulas since the transmission orientation of hadis is more practical, that is direct example of the Prophet's actions.

Muḥammad Mustafā 'Azamy in his book "*Dirāsah fī al-Ḥadīth al-Nabawī wa Tārīkh Tadwīnih*" gave his expostulation to Abū Rayyah's viewpoint of hadis. Syeikh Muḥammad al-Ghazālī is also expostulated by some Muslim scholars such as Syeikh Salmān al-'Audah in his book "*Ḥiwār Hādī ma' Muḥammad al-Ghazālī*". Ignaz Goldziher work

²³Fazlur Rahman, *Islam*, p. 47.

²⁴Ali Mustafa Yaqub, *Kritik Hadis*, p. 29-30.

²⁵Muḥammad Mustafā 'Azamy, *Dirāsah fī al-Ḥadīth*, p. 24-32.

²⁶Muḥammad al-Ghazālī, *al-Sunnah al Nabawiyyah baina Ahl al-Fiqh wa Ahl al-Ḥadīth* (Beirut: Dār al-Shurūq, 1979), p. 26-27, See also Ali Mustafa Yaqub, *Kritik Hadis*, p. 30-31.

"*Muhammadanische Studien*" which later was translated into English "*Muslim Studies*", are also criticized by Mustafā al-Sibā'iy as he cited in his monumental work "*Al-Sunnah wa Makānatuhā fī Tashrī' al-Islām*". In this work, Goldziher opted imam al-Zuhry as his object of study since he assumed that al-Zuhry was the first hadis collector who was politically driven by the Umayyad regime. In that book "*Muslim Studies*" Goldziher cited al-Suyūṭī's statement "*awwal man dawwan al-hadīth al-Zuhry*" (the first hadis collector is al-Zuhry).²⁷

In line with some orientalist above, William G. Graham, in his paper "*The Study of the Hadith in Modern Academics: Past, Present and Future*,"²⁸ agreed to some of Goldziher's views that hadis, within its growth process represented the second and third century creativity of former Muslim scholars.²⁹ It was so since the possibility of different narration from time to time, from one narrator to another. Nevertheless, it does not mean that hadis was not originally steamed to Prophet Muhammad. He also commented that historical approach employed by Western scholars to study Arab Tradition exposed them to errors as they had different social background. He loaded this expostulation using historical approach method in many of his papers.³⁰

Azamy in his works "*Dirāsah fī al-Ḥadīth al-Nabawī wa Tārīkh Tadwīnīh*" and "*Studies in Hadith Methodology and Literature*" rejects such accusation on hadis. He said that prophet's traditions summarized in the classical compilation like those of Suhail ibn Abū Ṣāliḥ (d. 138 H) had links to the Prophet Muhammad. Consequently, the hadis chain of narrators (*sanad ḥadīth*) which formed in the compilation is: the Prophet

²⁷*Ibid.*, p. 183-195.

²⁸William A. Graham, "The Study of the Hadith in Modern Academics: Past, Present and Future", in *The Place of Hadith in Islam*, ed. The Muslim Students' Association (Canada: Illinois Institute of Technology Chicago, 1975), p. 28-40.

²⁹It can be seen from his statement: "Whatever one may think of this conclusion, his work is a major one with which we have still to wrestle". *Ibid.*, p. 29.

³⁰*Ibid.*, p. 34-37.

Muhammad – Abū Hurayrah – Abū Ṣāliḥ – Suhayl.³¹ Azamy also noted that Suhail's compilation consists of 49 hadis. Azamy accurates the narrators of the third range from 20 to 30 people who lived in different parts of the world and were far each other from India to Morocco, and Turkey to Yemen. However, the content of hadis they narrated was the same. Therefore, he concluded that it is quite irrational for the situation at that time that they had ever gathered to fabricate those hadis before.³²

As to Goldziher's minor views to prophet's traditions, hence, Mustafa al-Sibā'iy, with his monumental work "*al-Sunnah wa Makānatuhā fi al-Tashrī al-Islamī*", come to give scientific analogical respond. He proved the authenticity of *hadis* as the second principle source of Islamic law.

D. Mustafa al-Sibā'iy's Criticism Toward Ignaz Goldziher's Views

The first Goldziher's thesis is that most hadis are merely fabrication of the second and third century Muslim scholars. The admirable achievements reached by Muslim people were in religion, politics and social fields. According to al-Sibā'iy, this opinion does not have any historical ground as prophet Muhammad died after the perfection of Islam as the true religion in the eye of God. This is explicitly affirmed in *al-Qur'an* and prophet's tradition (*al-sunnah al-nabawiyah*) as follow:

الْيَوْمَ أَكْمَلْتُ لَكُمْ دِينَكُمْ وَ أَتَمَمْتُ عَلَيْكُمْ نِعْمَتِي وَ رَضِيتُ لَكُمُ الْإِسْلَامَ دِينًا

"today, I have completed your own religion and I have perfected my comfort to you and I bestow Islam as your religion."³³

Prophet Muhammad also suggested:

تركت فيكم امرين لن تضلوا ما تمسك بهما كتاب الله وسنتي (رواه الجماعة)

³¹This viewpoint was copied by Ali Mustafa Yaqub, *Kritik Hadis*, p. 28. See also Mustafā Azami, *On Schacht's Origin's of Muhammadan Jurisprudence* (Riyad: King Sa'ud University, 1985), p. 221.

³²*Ibid.*, p. 222.

³³QC. al-Māidah (5): 3.

"I have left you two heritages, if you hold to them, you will not surely be astray. Both are al-Qur'an and my tradition."

According to al-Sibā'iy, the two historical argumentations are as normative acknowledgment that Islam has entirely been completed by the settlement of Allah's apocalypse in al-Qur'an as well as that of prophet's traditions for Muslim people. Hence, when Prophet Muhammad passed away, Islam had fully been perfect. Muslim scholars based their interpretation and judgment concerning to human life on both.³⁴ This circumstance is extremely contradictory to the conclusion of Goldziher that hadis is solely the scientific work of Muslim scholars creativity under the golden age.

Beside that, to know the maturity of Islam since the early period, one can see the conquest and readiness by the second caliph 'Umar ibn al-Khattāb of two big empires in the world; Persia and Eastern Roman Empire. The caliph was able to run the governance wheels of the two big empires based on much more perfect pattern and system than Kisra and Emperor commanded under the two empires, though both had reached ultimate civilization and culture of the world at the time. Therefore, an ascription that says Islam is still in an embryonic phase is extremely irrational.³⁵

The Other proof is that Muslim people in all over the world have the identical rituals. They also carried out the equal Islamic law substantially. They have the identical rituals, *mu'āmalah*, and *aqīdah*.³⁶ As for the appearance of some *madhhab* in Islam after the early period was earnestly a result by varieties of Muslim community in interpreting *al-Qur'ān* and Prophet's tradition. However, the variety was only in trivial issues (*furū'*) not in principal doctrines. Islam tolerates difference in opinion as

³⁴*Ibid.*, p. 196.

³⁵The period of 'Umar ibn al-Khattāb was well-known as an expansion period to outside Arabia peninsula, such as Syria, North Africa, Basrah, Kufah, Palestine, and Egypt. In this period, there were civilization developments. Among those is the progress in the field of official administration, defense system etc. See Badri Yatim, *Sejarah Peradaban Islam* (Jakarta: PT. Raja Grafindo Persada, 2000), p. 35.

³⁶*Ibid.*

long as it emerges from valid interpretation of the sacred texts (*ijtihād*) and is not based on personal interest.³⁷ This phenomenon would not occur if they had not owned an established system yet to arrange various facets of Muslim life. If Goldziher's accusation that most of prophet's traditions are merely the erudite product of the second century of Islam was true, there would be variation of the rituals in Islam. Muslim rites in North Africa are surely different from those of South China because of the distance.³⁸

'Azamy vehemently oppose the idea of *hadis* fabrication. In his work "*Studies in Hadith Methodology and Literature*," he notes some prominent companions of the Prophet who accepted *hadis* from him, among them are:

1. Abu Hurairah (d. 57 H), narrated for about 5374 *hadis* and there were approximately nine prophet's companions who copied *hadis* from him.
2. Ibn 'Umar (d. 73 H), narrated for about 2630 *hadis*, and eight of his students had transcribed the *hadis*.
3. Anas ibn Mālīk (d. 93 H), narrated for about 2286 *hadis*, and there were approximately 60 people who got and copied *hadis* from him.
4. *Umm al-mu'minīn* 'Āishah (d. 57 H) narrated for about 2210 *hadis*, and there were more than 2 people who got the transcript of *hadis*.
5. Ibn 'Abbās (d. 68 H) narrated for about 1660 *hadis*. There were approximately 10 people who got the transcript of *hadis* from him.
6. Jābir ibn Abdallāh (d. 78 H) narrated for about 1540 *hadis*, and there were approximately 14 of his students had obtained the written *hadis*.
7. Abū Sa'īd al-Khudry narrated 1170 *hadis*, and according to Khaḍīb, he himself copied *hadis* he had straightly gotten from prophet Muḥammad.
8. Ibn Mas'ūd (d. 98 H) narrated 748 *hadis*. There is no enough information about his students who got *hadis* from him transcription.

³⁷*Ibid.* p. 197.

³⁸Mustāfā al-Sibā'iy, *al-Sunnah wa Makānatuhā*, p. 197.

9. 'Abdullāh ibn 'Amr ibn al-'Āṣ (d. 65 H) narrated 700 hadis. He often wrote hadis when prophet Muhammad still lived. The collection of his hadis included in his work "*al-Ṣaḥīfah al-ṣādiqah*". And approximately there were 7 of his students who had obtained the hadis transcription from him.
10. The second caliph 'Umar ibn al-Khaṭṭāb narrated 537 hadis.
11. The fourth caliph 'Aly ibn Abī Ṭālib narrated for about 536 hadis, and there were at least 8 people who got the hadis transcription from him.
12. Abū Mūsā al-Ash'āry narrated as many of 360 hadis.³⁹

Similar to what al-Sibā'iy did, 'Azamy also took a conclusion that hadis had authentically been written down by many of prophet's companions when he was still alive though it was not officially instructed as what al-Zuhry did. Al-Zuhry, at that time, was formally recommended by 'Umar ibn 'Abd al-'Azīs (d. 101 H) to collect and codify hadis.⁴⁰ To discuss substantially the views of Goldziher, and orientalis in general, al-Sibā'iy offered the methodology of *muḥaddithīn* (people expert

³⁹Muḥammad Mustafā 'Azamy, *Studies in Early Hadith Literature* (Indiana: American Truth Publication, 1978), p. 26-27. While, al-Ajjaj al-Khaṭīb cited that there were several companions who owned collection of hadis collection they wrote by themselves, like: 'Abdullāh ibn Mas'ūd, Sa'ad ibn 'Ubadāh al-Anṣāry (d. 35 H), Asmā' binti 'Umaīs (d. 38 H), Samūrah ibn Jundub (d. 60 H), 'Abdullāh ibn 'Umar (d. 73 H), Jarīr ibn 'Abdullāh, see Muḥammad 'Ajjāj al-Khaṭīb, *al-Sunnah qabla al-Tadwīn* (Cairo: Maktabah Wahbah, 1963), p. 346-348, 352.

⁴⁰Muḥammad Mustafā 'Azamy, *Studies in Early Hadith Literature*, p. 25. Hadis was not formally compiled at the Prophet period because: the first, Prophet Muhammad himself once forbade to do so. The second, most of companions had more concentration to compile and memorize al-Quran than hadis. On the other hand, the Prophet's tradition itself implemented directly by him in his daily life. When they faced a problem, they could immediately ask the Prophet. The third, there was worry about the mixture (*iltibās*) between verses of al-Qur'an and hadis. See Muḥammad 'Ajjāj al-Khaṭīb, *Uṣūl al-Ḥadīth 'Ulūmuh wa Muṣṭalāḥuh* (Beirut: Dār al-Fikr, 1989), p. 152. Nevertheless, out of the discussion about the reason why hadis was not officially compiled during the Prophet period and his companions, it seems to be irrational if the Prophet was as a *top figure*, his utterances as well as his actions were not recorded by his followers. If the adherents of a notable figure are going to emulate his figure's characters and action. Moreover, he is a prophet whose conducts and life style are certainly imitated by his adherence. See Fazlur Rahman, *Wacana Studi Hadis Kontemporer* (Yogyakarta: PT Tiara Wacana Yogya, 2002), p. 57.

in hadis) to counter and safeguard the originality and authenticity of hadis. He also offered the methodology of scientific criticism the orientalists used in an attempt of protecting hadis from any distortion and falsification. Al-Sibā'iy clarified these accusations as he included comprehensively in his work "*al-Sunnah wa Makānatuhā fi al-Tashrī' al-Islāmy*". The hadis experts' methodologies are:

1. Traveling (*Riḥlah*) Tradition

Al-Sibā'iy confirmed that *riḥlah* (traveling for a long distance) to seek authentic hadis had been taking place continuously since the time of Prophet Muhammad. The third caliph 'Uthmān ibn 'Affān (d. 36 H) recommended the companions to propagate Islam to newly conquered regions. They were officially assigned to collect and compile the hadis from senior companions in many days or even for months. For such noble tasks, they did willingly the traveling (*riḥlah*) from one region to another, from one country to another.⁴¹

The Muslim people have a great interest to hadis because of solely their love and respect to Prophet Muhammad and Allah Almighty. Imam al-Bukhāry (256 H), in his *Sahih* (*Ṣaḥīḥ al-Bukhāry*) noted that Jābir ibn 'Abdullāh (d. 78 H) had ever explained: "someone had ever come to me by carrying a *hadis* from the Prophet Muhammad, while, I had not ever heard the hadis before, so I sold my own camel and immediately rode on to Syria. The journey took one month. Arriving at Syam, he met 'Abdullāh ibn Unays and asked him one hadis about *qiṣāṣ*."⁴²

Imam al-Baihaqy and Ibn 'Abd al-Barr (d. 463 H) narrated a hadis from 'Aṭā' ibn Abi Rabbāh (d. 114 H) that, Abū 'Ayyūb al-Anṣāry had ever traveled from Madinah to Egypt solely for confirming a hadis to 'Uqbah ibn 'Āmir.

⁴¹Muṣṭfā al-Sibā'iy, *al-Sunnah wa Makānatuhā*, p. 72-73.

⁴²Muṣṭfā al-Sibā'iy, *al-Sunnah wa Makānatuhā*, p. 73. This narration is also cited by Sa'dullāh ibn Jamā'ah al-Kanāny, see Sa'dullāh ibn Jamā'ah al-Kanāny, *Tadhkirah al-Sāmi' wa al-Mutakallim fi Adab al-'Ilm wa al-Muta'allim* (Beirut: Dār al-Kutub al-'Ilmiyyah, nd.), p. 41, 55. see al-Khaṭīb al-Baghdaḍy, *al-Riḥlah fi Ṭalab al-Ḥadīth* (Beirut: Dār al-Kutub al-'Ilmiyyah, 1975), p. 110.

Arriving at Egypt, he asked: "I ever heard a hadis about concealing Muslim's disgrace." Then 'Uqbah answered: "the *hadis* you carry is really true." I also heard that prophet Muhammad had ever said: "one who conceals his or her brother in Islam in universe, Allah Almighty is going to hide his or her disgrace in the Day of Judgment."⁴³ After hearing such explanation, he went back to Medina.⁴⁴

Sa'd Allāh ibn Jamā'ah al-Kanāny suggested that the tradition of *riḥlah* to other regions for days or even for months is a type of intellectual tradition which used to be executed by experts of hadis at the early time. Sa'id ibn Musayyab (d. 105 H), the companion's follower (*ṭābi'in*), recounted his own experience: "I had ever traveled for many days merely to confirm one hadis." Some of them even visited several countries for the purpose of finding the truth of one hadis. Makhūl (d. 112 H) said: "when I was in Egypt, I was a slave of a female from Huzail tribe, she then liberated me. When she was in Egypt, I visited many knowledge sources of Islam. Then I moved to Hijaz (one of the Arab's region), Iraq and Syam to search many sources of Islam. I performed that solely confirming a hadis about *nafal* (war expropriation property). Unfortunately, no one could inform me about the hadis, so, I met Ziyād ibn Jariyah al-Tamīmy for confirming a hadis about *nafal*." He answered: "I ever heard from Ḥabīb ibn Maslamah, he said; "I witnessed prophet Muhammad shared the *nafal* fairly to those who had just attended the war by one fourth and one third for those who had attended war many times."⁴⁵

Imam Bukhari, in his "*Ṣaḥīḥ*" clarified the hard exertion of the companions in selecting hadis. One of them is 'Umar

⁴³The hadis is "*man satar mu'minan 'alā karabatih satarahu Allah yaum al-qiyāmah*." The hadis is narrated by al-Bayhaqy from 'Abd al-Barr, 'Atā' ibn Abi Rabbāh (d. 114). 'Atā' is a companion's follower who was born during the caliph 'Umar's period. He learned *hadis* from 'Āishah, Abū Hurairah, and Ibn 'Abbās. *Ibid.*, p. 73.

⁴⁴Muṣṭafā al-Sibā'iy, *al-Sunnah wa Makānatuha*, p. 73.

⁴⁵Sa'dullāh ibn Jamā'ah al-Kanāny, *Tadhkirah al-Sāmi'*, p. 114.

ibn al-Khaṭṭāb.⁴⁶ He used to confirm a certain information linked to the Prophet. Beside him, there are also some other companions who used to recheck every *hadis* they receive linked to the Prophet. They are Abū Bakr al-Ṣiddīq, 'Aly ibn Abī Ṭālib (d. 61 H), 'Āishah bint Abū Bakr al-Ṣiddīq, and others. Further, Abū Bakr customarily asked eyewitness about the authenticity of *hadis* before accepting it.⁴⁷

The sincerity of experts of *hadis* related to tracing the information derived from its original source (Prophet Muhammad) had not been experienced yet within the countries' intellectual history in the world, including Western countries. The spirit of searching the truth has been in Islam since the early time. Hence, related to accepting or refusing certain information, they were quite selective and careful.⁴⁸ The experts of *hadis* are cautious of the Prophet's firm warning to those who fabricate *hadis*. As prophet Muhammad declared:

من كذب علي متعمدا فليتبوأ مقعده من النار (رواه البخاري)

"one who makes fabricate my *hadis* intentionally, he or she should prepare his or her sport in the hell." (Bukhari).⁴⁹

Because of the warning, the companions as well as Muslim scholars are very careful in narrating *hadis*. The carefulness and high selectiveness they have, *muḥaddithīn* (experts of *hadis*) composed thoroughly a standard methodology in selecting *hadis* in order to guarantee the

⁴⁶'Umar ibn al-Khaṭṭāb personally asked the Prophet about someone who told him that Prophet himself had divorced his wives. Then after having been checked, the Prophet apparently did not do what that person said. Instead, the Prophet promised not to visit them on the bed for a month, see Muḥammad ibn Ismā'īl al-Bukhārī, *Ṣaḥīḥ al-Bukhārī*, p. 70-71.

⁴⁷*Ibid.*

⁴⁸Ṣubḥy al-Ṣāliḥ, *'Ulūm al-Ḥadīth*, p. 56.

⁴⁹The *hadis* is sound (*ṣaḥīḥ*). There are approximately 30 companions who narrated it. Among them are: 'Aly ibn Abī Ṭālib, Abū Hurairah, Ibn 'Abbās, Ibn Mas'ūd, Mu'āwiyah ibn Abī Ṣufyān, Anas ibn Mālik, 'Umar ibn al-Khaṭṭāb, 'Uqbah ibn 'Amir, and others. See Muḥammad Sa'īd ibn Bashūny Zaqlūl, *Fahāris Aḥādīth wa Athār al-Imām Aḥmad ibn Ḥanbal* (Beirut: Dār al-Kutub al-'Ilmiyyah, nd.), p. 1032

validity of hadis. This condition is wholly in opposite with what Goldziher declared about the invalidity of hadis as the companions had a deep perseverance to trace and protect the fabrication from the and of liars.⁵⁰

Khaḍīb al-Baghdādī (d. 463 H), in his book "*Al-Riḥlah fī Ṭalab al-Ḥadīth*," explained widely about *riḥlah* which has been conducted since the early period of Islam to *tābi'īn* (companion's followers) and follower of companion's follower. Among them are:

1. Damān ibn Tha'labah, when he heard the Prophet's teaching about Islam, he would convert to Islam. As he had never met the Prophet, he immediately decided to visit him to declare his conversion to Islam.⁵¹
2. Abu Dardā' asserted "if I accidentally meet one verse of holy al-Qur'an whereas, no one is able to clarify but one who is in the deep of the sea, I am surely going to visit him."⁵²
3. Jābir ibn 'Abdullāh (d. 78 H) went to Damascus for gaining one hadis about *qisās* in the Day of Judgment.
4. Abū 'Ayyūb traveled to Egypt to meet 'Uqbah ibn 'Āmir about a hadis related to concealing Muslim's disgrace.

Both of 'Alqamah (d. 62 H) and al-Aswad (d. 95 H), are from companion's followers (*tābi'īn*). When they were informed about a hadis narrated by 'Umar ibn al-Khaṭṭāb, they did not easily confirm. At last, they decided to visit 'Umar and hear directly from him. The phenomenon indicates that traveling tradition or *riḥlah li ṭalab al-ḥadīth* has started since long time before Umayyad regime.⁵³ The data al-Baghdādī proves that the accusation of Goldziher is historically reasonless.⁵⁴ The efforts of the companions in

⁵⁰Muṣṭafā al-Sibā'iy, *al-Sunnah wa Makānatuhā*, p. 74.

⁵¹Al-Khaḍīb al-Baghdādī, *al-Riḥlah fī Ṭalab al-Ḥadīth*, p. 32.

⁵²*Ibid.*, p. 190.

⁵³The other groups of *tābi'īn* who did *riḥlah* were Sa'īd ibn Musayyib for one hadis, 'Ubaidillāh ibn 'Ādy to 'Aly ibn Abī Ṭālib to 'Uthmān for asking one hadis about the folded reward. Sa'īd ibn Jābir to Ibn 'Abbās about the matter of intended killer will be sent to hell.

⁵⁴Al-Khaḍīb al-Baghdādī, *al-Riḥlah fī Ṭalab al-Ḥadīth*, p. 32.

searching hadis were out of political payload and business orientated context, but rather their love to their God, the Messenger and religion.⁵⁵ Hence, the above historical evidence strongly break Goldziher's accusation that hadis is the result of Muslim scholar's scientific creativity at the first and second century of Islam. To strengthen his expostulation, al-Sibā'iy also gave clarifications through other methods which used by experts of hadis in tracing the authenticity of hadis. Among others are:

2. Tracing *Isnād* (chain of narrators) of Hadis.

When the Prophet passed away, his companions never questioned news (read: hadis) that they heard from other companions. *Tābi'īn* (companion's follower) did not doubt *hadis* narrated by companions. The situation started to change after the "*fitnah*" incident⁵⁶. Too, the appearance of a Jewish convert named 'Abdullāh ibn Sabā' who provoked divinity of 'Ali ibn Abi Tālib contributed to this shift. Since that time, the *tābi'īns* were very careful in transforming *hadis*. They did not accept any hadis except after they had known the *sanad* (link) and had trusted their source. That is what Ibn Sirīn (d. 110 H) narrated when he told the situation of

⁵⁵*Ibid.*, p. 34.

⁵⁶Muṣṭafā al-Sibā'iy, *al-Sunnah wa Makānatuhā*, p. 74. The term "*fitnah*" is the tragedy faced by Muslim community at the end of 'Uthman ibn 'Affan's caliphate, the event caused the death of the caliph. The tragedy was then continued by the assassination of the fourth caliph 'Ali ibn Abi Thālib. The event culminated with the struggle for power between 'Ali and Mu'awiyah with the latter coming out as victorious. The orientalist described that "*fitnah*" has great impact to *sunnah*. Al-Sibā'iy believed that *fitnah* was consequently the main factor which gave birth to *ilm muṣṭalah al-ḥadīth*. Juynboll suggested that *fitnah* made experts of hadis starting to use the *isnād* system in transmitting hadis. See G. H. A. Juynboll, *Muslim Tradition* (Cambridge: Cambridge University Press, 1983), p. 13. This view is then countered by 'Azamy. He confirmed that the *isnād* system had formerly emerged before *fitnah*. See Muḥammad Muṣṭafā 'Azamy, "*Isnad and its Significance*", in *The Place of Hadith in Islam* (Canada: International Graphics Printing Service: 1980), 4. On the other hands, al-Sibā'iy observed that *fitnah* had begun in the end of Ali's caliphate. At that time there were many internal conflicts and wars causing many victims. The year 40 H was then considered as the border which distinguished between the authenticity of *hadis* and fabrication of *hadis*, Muṣṭafā al-Sibā'iy, *al-Sunnah wa Makānatuhā*, p. 75.

the past cited by Imam Muslim in his *Ṣaḥīḥ*; "formerly, they did not quest about *isnād* (say link), but after of libel happened, they claimed; 'mention the source of hadis you carry." If they saw experts of *hadis*, hence they accepted their hadis. But, if they met *ahl al-bid'ah* (people who make bizzare things in religion teaching), they refused his hadis.⁵⁷

The make-up of *al-tathabbut* (selectivity) has been started since a period *al-ṣaḥābah al-sighār* (young companions) who passed away earlier. This matter can be proved by the attitude of 'Abdullāh ibn 'Abbās (d. 68 H) when he was visited by Bashīr al-'Adawī in order to be permitted to transmit hadis from Prophet Muhammad. However, Ibnu Abbas ignored him, finally, Bashīr told: "Hi, Ibnu 'Abbās, why do you seems not happy listening me transmitting the Prophet's tradition? Ibnu 'Abbās replied; "formerly, everyone said that the Messenger of Allah had declared about certain case, hence, our ear and eye were going to him attentively. But, after the calamity (*fitnah*) happened, we will no longer take away from anyone except one we know.⁵⁸

The selective attitude is also found among the *tābi'īn*. Ibn al-Mubārak (d. 191 H) told; "*Isnād* is a part of religion. Without recognizing *isnād*, hence, everybody will tell anything he desires, then he links to Prophet Muhammad." Ibn 'Abbās also explained; "among us and other Muslims, there are two links or *isnād*." While; Abu 'Aliyah (d. 90 H), said; "if we get a hadis from the companion, we are not satisfied yet before we meet and listen hadis from him directly."⁵⁹ By tracing or linking *isnād* of hadis, we ascertain the source of hadis, whether the hadis was really originated from prophet Muhammad or has been falsified by irresponsible people.⁶⁰

3. Authenticity of *Hadis* (*Tauthīq al-Ḥadīth*)

⁵⁷Muslim ibn Ḥajjāj al-Naisabury, *Muqaddimah Ṣaḥīḥ Muslim*, Vol. I (Beirut: Dār al-Kutub al-'Ilmiyyah, nd.), p. 80.

⁵⁸*Ibid.*, 81.

⁵⁹*Ibid.* this statement is copied by Muṣṭafā al-Sibā'iy, *al-Sunnah wa Makānatuhā*, p. 91.

⁶⁰*Ibid.*

The authenticity check mechanism is one of the ways used by Muslim scholars to check the validity of hadis. This effort has formerly been conducted since companion and companion's follower period. When the *fitnah* happened, people could check the validity of hadis to companions, companions' followers, or a notable figure. The Authenticity mechanism is not only limited to *sanad* of hadis, but also includes the inspection to *matn* (content of hadis).⁶¹

The application of such a mechanism of *tauthīq al-isnād* can be told as follow: there was a case of an old grandmother who came to Abu Bakar for asking her share of inheritance of his deceased grandson. Abu Bakar then replied; "I don't not find share of grandmother in al-Qur'an or in the Prophet's tradition." Then Mughîrah ibn Su'bah said; "I had ever witnessed the Messenger of Allah distributed the share for grandmother was one sixth." Abu Bakar enquired; "is there anyone who witnesses such event other than you?" Muhammad ibn Maslamah ibn al-Anṣār stood and agreed to Mughîrah. On the basis of that witness, Abu Bakar finally accepted and gave her share. ⁶² In this case, Abu Bakar accepted news of Mughîrah after getting confirmation of eyewitnesses, that was Maslamah al-Anṣāry. This did not mean that, Abū Bakr was unconvinced to Mughîrah (a notable companion) but to reassure confidence of that event and as effort of ensuring the authenticity of the hadis.

According to al-Sibā'iy , many companions conducted the tradition of *riḥlah* (traveling for searching hadis) to listen hadis from trustworthy narrators (*ṣadiq*). Example; Jābir ibn 'Abdullāh traveled to Syria and 'Ayyūb to Egypt to listen one single hadis. Sa'īd ibn Musayyib (d. 94 H) said; " I used to travel night and day to search one *hadis*."⁶³ Another confession is from Bashār ibn 'Abdullāh al-Haḍramy. He

⁶¹*Ibid.*, p. 91.

⁶²Al-Khaḍīb al-Baghḍādy, *al-Khalifiyyah fī Qawānin al-Riwāyah* (Cairo: Dār al-Kutub al-Ḥadīthah, nd.), p. 66-67.

⁶³Muṣṭafā al-Sibā'iy, *al-Sunnah wa Makānatuhā*, p. 91.

replied; "I used to go to a faraway town to get a hadis and listen it by myself."⁶⁴

From *matn* aspect or the content of hadis, there are some hadis which are not in line with principles of al-Qur'an and hadis. A case that happened at the period of companions shows us their profound understanding about the content of hadis. It also proves the consultation and communicative atmosphere among the early generation of Islam during the process. Ibn 'Abbās told 'Aishah that when 'Umar ibn al-Khaṭṭāb was dying, the caliph instructed none of his relatives must cry onto him, since 'Umar had ever heard prophet uttered:

إن الميت ليعذب ببكاء أهله عليه (رواه البخاري)

"The corpse will be tortured because of his or her family's crying" (al-Bukhāry)

Hearing the news, 'Aishah commented, "hopefully, may Allah bless 'Umar. The messenger of Allah never uttered that the corpse of believer will be tortured because of his or her family's weep. But, he uttered; "in fact, Allah will add the heathen of unbeliever's corpse because of his or her family's weep." Hereinafter, 'Aisah suggested: "enough to all of you a verse that expresses that one will not responsible for other's sin." (QC. al-An'ām (6): 164).⁶⁵

Hereinafter, al-Sibā'iy stated that the early Muslim scholars had criticized either to link (*sanad*) or content (*matn*) of hadis. This means that the hadis is prevented from forgery. So, according to him, it's extremely irrational if hadis was invention the Muslim scholar of the first and second century and was not stemmed from prophet Muhammad as suggested by Goldziher.⁶⁶ This Opinion is then strengthened by 'Azamy in his book "*Studies in Early*

⁶⁴*Ibid.*

⁶⁵Muḥammad ibn Ismā'il al-Bukhāry, *Ṣaḥīḥ al-Bukhāry*, Vol. 2, p. 223. And Muslim ibn Ḥajjāj al-Naisabury, *Ṣaḥīḥ Muslim*, Vol. 1, p. 370-371.

⁶⁶Muṣṭafā al-Sibā'iy, *al-Sunnah wa Makānatuhā*, p. 102.

Hadis and Literature."⁶⁷ To strengthen his thesis, al-Sibā'iy explained the method of *matn* criticism designed by Muslim scholars in guarding against forgery effort. *Matn* should not contain the bizarre words and may not contradictory to reason, common sense, fact and senses. In addition, it may not oppose the common methods in law and behavior. Further, *matn* must not invite lowly things which is not allowed by religion and must not be contradictory to al-Qur'an. Besides, *matn* must not oppose the historical fact and must not take side with any certain *madhhab*. It also must free from personal interest. Lastly, it may not invite abundant promises or reward of small deed or abundant in threat in small case.

By requiring such criterions, the Muslim scholars particularly experts of hadis guarantee the authenticity of hadis from any forgeries.⁶⁸

4. Narrator Criticism Methodology

The narrator criticism methodology of hadis and explaining his or her status as a downright, impostor (*mudallis*) or trustworthy (*ṣadūq*), represent an effective medium to protect the Prophet's hadis from various kinds of forgery made by those who mask as narrator. With this methodology, Muslim scholars can differentiate which one is a sound hadis (*ṣaḥīḥ*) and which one is a weak hadis (*ḍa'īf*). The experts' work in the field of hadis is prolific work. They are quite objective in assessing *sanad* for protecting hadis from forgery.

The critics of hadis have collected biography of the narrators of hadis. They seem to have objective assessment

⁶⁷According to 'Azamy, the criticism of *hadis* had started since Muhammad's period. Then it went on to the caliphate period. A number of companions who did many criticisms are: Abū Bakr, 'Umar, 'Aly, Ibn 'Umar and 'Āishah. Then, successively it went on to *tābi'īn*'s period. They are Ibn Musayyib (d. 93 H), al-Qāsim ibn Muḥammad ibn Abū Bakr (d. 106 H), Salim ibn 'Abdullāh ibn 'Umar (d. 106 H), 'Aly ibn Ḥusain ibn 'Aly (d. 93 H), 'Urwah ibn Zubair (d. 94 H) and others to the time of Imam al-Bukhāry and Imam Muslim. See Azami, *Studies in* ..., p. 51-52.

⁶⁸Muṣṭafā al-Sibā'iy, *al-Sunnah wa Makānatuhā*, p. 260-261.

and criticism about the life of narrators. None of narrators' defects they had concealed or distorted. None of narrators' weakness missed from their observation. In short, in the case of *jarḥ wa ta'dīl*, they never failed in assessing a narrator.⁶⁹ Yahyā ibn Sa'īd al-Qaṭṭān (d. 146 H), a famous critic, was once ever asked: "Don't you worry to the people whose hadis you throw away would later become your enemy in the doomsday?" Emphatically Yahyā replied: "I will be more fearful if the Messenger of Allah would be my enemy and will tell me 'why don't you protect hadis from all types of falsehood.'"⁷⁰

According to al-Sibā'iy, there are some young companions (*sighār al-ṣaḥābah*) who talked about the criticism of narrator. They are: Ibn 'Abbās (d. 68 H), 'Ubādah ibn al-Samar (d. 34 H), Anas ibn Mālik (d. 93 H). from companion's followers (*tābi'in*): Sa'īd ibn Musayyib (d. 93 H), al-Sha'by (d. 104), Ibn Sirīn (d. 110 H), al-A'mash (d. 148 H), Imam Mālik (d. 179 H), Ma'mar (d. 154 H), Hishām (d. 157 H), al-Thaury (d. 161 H), Hammād ibn Salamah (d. 167 H), al-Laith ibn Sa'd (d. 175 H), 'Abdullāh ibn Mubārak (d. 181 H), Ibn 'Uyainah (d. 198), 'Abd al-Raḥmān ibn Mahdī (d. 198 H), and others.⁷¹

There are also some other writings related to criticism of narrator. For instance, Yahyā ibn Ma'in (d. 234 H) wrote "*Tārīkh al-Rijāl*" (the biography of narrators) and Aḥmad ibn Ḥanbal (d. 241 H) wrote "*al-'Ilāl wa Ma'rifah al-Rijāl*" (defect hadis and detecting narrators of hadis). Even before them, Muḥammad ibn Sa'd (d. 230 H) wrote "*al-Ṭabaqāt al-Kubrā*" (the glorious generations) that consists of 11 volumes and contains the biography of Prophet Muhammad, *Tābi'in* and other figures who lived to the third century Hijriyah. Ibn Abi Ḥātim al-Razy (d. 327 H) wrote "*al-Jarḥ wa al-Ta'dīl*" (the evaluation of negative and positive), which consists of 9 volumes, whereas Ibn Ḥibbān al-Bustī (d. 354 H) wrote

⁶⁹*Ibid.*, p. 92.

⁷⁰*Ibid.*

⁷¹*Ibid.* P. 110.

book which particularly criticizes the refused narrators whose *hadis* are rejected and the book "*al-Majrūḥīn*." Likewise, Imam al-Bukhāry (d. 256 H), wrote "*Al-Tārīkh al-Kabīr*" (glorious history).⁷²

Those books are evidence composed by experts of *hadis* to preserve the authenticity of *hadis*. Using narrator criticism methodology (*jarḥ wa ta'dīl*), a narrator will be categorized whether he is a god-fearing, unqualified, having strong memory, forgetful, impostor, etc. It is not a means to invalidate the narrators, but it is a mechanism to protect the authenticity of Islam and *hadis* from the hand of impostors. Based on the historical facts proposed by al-Sibā'iy, Goldziher's conclusion that *hadis* is invention of the Muslim scholars at the first and second century is unsubstantiated.

E. Conclusion

Ignaz Goldziher, the most representative and notable orientalist, talked and criticized *hadis* as rather scientific research of the second and third century of Hijriyah than originally steamed from the original source, he is prophet Muhammad. On the other hands, most of muslim scholars strongly objected to such viewpoint.

One of those who disagreed to the accusation is Muḥammad Muṣṭafā al-Sibā'iy in his monumental work "*al-Sunnah wa makānatuhā fi Tashrī' al-Islām*". In this work, Goldziher opted imam al-Zuhry as his object of study since he assumed that al-Zuhry was the first *hadis* collector who was politically forced by Umayyah regime. In the book "*Muslim Studies*" he copied Imam Suyūṭy's statement "*awwal man dawwana al-ḥadīth al-Zuhry*" (the first *hadis* collector is al-Zuhry) He proved the authenticity of *hadis* by conveying the historical approach argumentations.

He had a conclusion that historically, *hadis* transmission had been started since the prophet Muhammad's period though he never officially assigned to his companions but they

⁷²Nūr al-Dīn 'Itr, *Manhaj al-Naqd fi 'Ulūm al-Ḥadīth* (Damaskus: Dār al-Fikr, 1981), p. 37-63. Also see Muṣṭafā al-Sibā'iy, *al-Sunnah wa Makānatuhā*, p. 110-111.

intensively wrote hadis as a self-documentation. To strengthen his theory, he offered some rational argumentations; (1) traveling (*riḥlah*) tradition (2) tracing *isnād* (link) of hadis (3) authenticity of hadis (*tauthīq al-ḥadīth*) (4) narrator criticism methodology.

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