

Research Methodology of *Hukum* (Legal Ruling) and *Fatwa* (Edict): The Importance of Hadith *Takhrij* (Verification and Authentication)

^{1,2}Prof. Dr. Jawiah Dakir, ³Dr. Faisal Ahmad Shah, ⁴Ahmad Levi Fachrul Avivy

¹Department of Theology and Philosophy, The National University of Malaysia

²Institute of Islam Hadhari, the National University of Malaysia

³Department of al-Quran and al-Hadith, Akademi Pengajian Islam, Malay University

⁴PhD Student, Department of Theology and Philosophy, The National University of Malaysia

Abstract: Hadith functions as the second source of Islamic Shariah after al-Quran. This has been unanimously agreed by all Muslim scholars. The study of *fatwa* (edict) and *hukum* (legal ruling) is an important field in Islam. This article discusses one of the important requirements in the study of *fatwa* and *hukum*, that is, *takhrij* (verification and authentication) of hadith which is the main support in the issuance of *fatwa* and *hukum*. Based on document review and descriptive analysis, this article focuses on the function and need for *takhrij*, the *takhrij* method in accordance with hadith expert or scholarly standards, several other related issues and the importance of constructing *fatwa* and *hukum*. Failure to conduct *takhrij* of hadith in accordance with set guidelines, will lead to negative implications towards hadith which are used in constructing *fatwa* and *hukum*, as well as towards the *hukum* and *fatwa* issued.

Key words: *Takhrij* (Verification and Authentication) of Hadith, Methodology of *Takhrij*, *Fatwa* (edict) & *Hukum* (legal ruling)

INTRODUCTION

History has proven that jurists from among the Companions referred to the Prophet's (pbuh) Sunnah when explaining the contents of al-Quran, because it is a source of Shariah law in ascertaining the *halal* (permissible) and *haram* (prohibited) (al-Khatib 1988). The role of al-Sunnah in relation to al-Quran is, among other matters, as an explainer of the Quranic text which are not clear, specifying the general, limiting the absolute, thereupon constructing legal rulings based on Quranic sources (Abu Shahbah 1991; al-Siba'i 1998). For this reason, it can be generally concluded that the Muslim ummah will be unable to properly implement Islamic teachings without being guided by al-Sunnah practice or Hadith (Jawiah *et al* 2009a).

Further, in order to practise Islamic teachings correctly and accurately, the Muslim ummah is obliged to refer to *sahih* (authentic) Sunnah or Hadith (al-Qaradawi 2000; Ibn Qayyim al-Juziyyah 1995). The importance of referring to *sahih* (authentic) hadith is to prevent the Muslim ummah from being deviated by perversion and abuse of hadith text for self-interest or even for the purpose of discrediting Islam. It is all the more unfortunate if such hadith text is used to mislead or harm the *aqidah* (belief) of a person rendering its Shariah *batil* (null) or *fasid* (imperfect). The danger of using text which is not *sahih* or even clearly false by "intellectuals", religious teachers or even academicians who are not aware of the authenticity or falsehood of a particular hadith text, will worsen the crisis or confusion among the public, especially those who do not have any foundation in religious studies or who do not have a sound knowledge of religion (Jawiah *et al* 2009a, Jawiah *et al* 2012). It would be more unfortunate if a *hukum* (legal ruling) or *fatwa* (edict) were based on unauthentic hadith, or was not decided by referring to a venerated original source of hadith.

MATERIALS AND METHODS

This article is based on document review and descriptive analysis by reference to venerated sources and opinions of experts/scholars related to the subject of discussion. Experts and scholars of hadith, *fiqh* (jurisprudence) and *usul fiqh* (sources of jurisprudence) have the same viewpoint and stand, in placing the hadith as a source of *hukum* and *fatwa*. They have also placed hadith as the second main source of *Shariah* after al-Quran and specified that authentic hadith be used as a source of *hukum* and *fatwa*. In order to determine the status of hadith, one of the standard methods used is to *takhrij* the hadith to determine its status, which is later used to obtain information and determine its validity as a source of argument in the issue of *fatwa* and *hukum*. This article presents information on the function and importance of *takhrij* (verification) of hadith, its standard method and some important issues related to *takhrij* which give implications to *hukum* and *fatwa*.

RESULTS AND DISCUSSION

It is obligatory on the Muslim ummah to study Hadith or al-Sunnah to acquire the right and accurate knowledge in order to ensure only the true teachings of the Prophet (pbuh) is practised. The Companions of the Prophet (pbuh) have proven that they were highly knowledgeable Muslims able to *ijtihad* (personal reasoning) and master various disciplines of knowledge because a major part of their lifetime was spent in studying al-Quran dan Hadith from the Prophet (pbuh). With determination, they and the generation after them narrated and recorded Hadith, providing the receptacle and facilities for the following generation to compile hadith, that is to collect, examine, write down and compile Hadith books which benefit hundreds of generations till even today. The present Muslim ummah benefits greatly from the collection and recording of Hadith by early Muslim generations. In determining whether the hadith text is authentic or false, reference to these venerated books is very essential to save the Muslim ummah from arguments based on false hadith (lihat (al-Qaradawi 2000; Ibn Qayyim al-Juziyyah 1995).

The Necessity for al-Takhrij:

Al-takhrij has various meanings, the most widely known is indication of the place of a particular hadith in the fundamental books of hadith, then pegging the hadith to the book. Some also take *takhrij* to be the presenting of or showing hadith based on its original source together with an explanation of its quality, whether *maqbul* (accepted) or *marḍud* (rejected) as argument (al-Tahhan 1996; Abu al-Layth 2008), for example, when a book states: "this hadith was issued by al-Bukhari in his Sahih" this hadith was issued by Muslim in his Sahih".

Takhrij of hadith is a science among other sciences in the wide field of Hadith. The person who practises *takhrij* is required to have not only an in-depth knowledge of hadith and *takhrij*, but also knowledge of Shariah in order to reach the original sources. It is not proper for a researcher and verifier to state the status or value of a particular hadith, unless he has scientifically known all the elements of the hadith, such as the narrator, the *matn* (text), *ilal* (defect), *shawahid* (corroborative support), etc., which form the crux of a ruling on a hadith (Yusuf Marra'ashliyy 2008).

Thus, among the requirements for *takhrij* are: (al-Tahhan 1996; Abu al-Layth 2008, Yusuf Marra'ashliyy 2008):

i. To Identify the Source of Hadith or the Fundamental Hadith Book in which it is Placed:

An important purpose of *takhrij* is to know the source of hadith. This would enable the researcher or critic of hadith to reach the original hadith, making it easier to estimate the probable status and value of the hadith. However, the study does not end there, because there are some other aspects which have to be studied before reaching a conclusion.

Due to the abundance of hadith with unknown sources disseminated among the Muslim society in Malaysia, the practice of *takhrij* needs to be inculcated and propagated to students, writers and also researchers to curb narrating hadith without its sources, specifically venerated sources.

ii. Collecting and Knowing the Sanad (Chains of Support):

a. To gather as many *turuq* (ways/routes) as possible of the narration for a particular hadith

Through *takhrij* a person is able to know the chain lines of transmission or ways of narrators for a particular hadith. Thus it is possible to ascertain if the chain is uninterrupted or broken, if there are any ways which are *da'if* (weak) or broken, to help through another chain to strengthen it. All these would not be possible without *takhrij*.

b. To identify and know the condition of every chain, so as to compare *tariq* (way/routes) in terms of their strengths and weaknesses.

c. To determine *rijal mubham* (vaguely mentioned narrator). Through *takhrij*, it is possible to discover a chain which clearly shows the narrator who was vague in the first way/route.

iii. To Identify the Matn (Text):

Through *takhrij*, a researcher is able to identify a variety of hadith text and to make a comparison between a narrative with other narratives, because there are hadith which were narrated with a variety of text and through different pronouncements/utterances.

This would prevent narrating hadith indiscriminately or according to memory or translating, according to what is heard in Malay language, into Arabic language, even though the *matn* (text) did not really come from the Prophet's (pbuh).

iv. To Identify The Status of Hadith:

An essential condition in arguments with hadith is to know the status of hadith, whether it is *ṣahih* (authentic), *da'if* (weak), *very da'if* or even false. This is one of the main purposes of *takhrij*. At the same time,

this practice leads to further information about the hadith, such as the opinions of scholars on a particular hadith. Thus, it prevents a person from making arguments based on false hadith or with hadith of equal standing or with hadith of unknown source or status.

However, this way is seldom followed by writers who argue using hadith. And this is one of the reasons for the spread of false hadith in the Muslim society, the lack of *takhrij*, in addition to not referring to book compilations of *sahih* (authentic) hadith. Through *takhrij*, there is a possibility of discovering rulings on the status of a hadith already decided by scholars.

v. To Identify the Cause for Wurud (Reason, Context, Circumstances):

Takhrij helps to know the cause for wurud of a hadith, to know even where and when the hadith was said by the Prophet (pbuh). This makes it easier for one to argue and make a ruling.

vi. Confidence in the Hadith as Argument:

When *takhrij* is completed and the sources, *sanad*, *matn* and *hukum* have been determined, any doubts or reservations regarding the status of a hadith would be eliminated, whether it can be used as argument or otherwise. It helps to prevent using text which is rejected or inconvenient and injudicious in argument, as well as saying at will that this or that is hadith, or presumptuously saying: "based on the Prophet's (pbuh) hadith", "the Prophet (pbuh) said", when it is not really hadith, but probably the words of the Companions or scholars.

vii. To Know the Accurate Meaning of Hadith:

There has been much perversion in the meaning of hadith deliberately or otherwise. *Takhrij* helps to know the exact meaning of hadith, because through it, the various narrations are identified enabling the exact meaning to be reached. This helps to prevent arguments based on wrong and perverted meanings of hadith.

Method of Takhrij:

Takhrij of hadith is by various methods, among the recommended ones are as follows: (lihat al-Tahhan 1996, Abu al-Layth 2008, Yusuf Marra'ashliyy 2008):

i. Takhrij Through Knowledge of al-rawi al-a'la:

This method requires a researcher to know the names of Companions who narrated the hadith known as *Hadith marfu'* (elevated). It requires one who practises *takhrij* to know the name of the first narrator of the hadith to be verified, and later to refer to books of compiled hadith based on the names of the Companions. For example, if one wishes to find a hadith narrated by Anas bin Malik, then a hadith may be verified guided by some books in which hadith were compiled based on *rawi al-a'la*, such as *al-masanid* books. These books are compilations of hadith narrations from only one Companion though some narrations may be from more than one Companion. One of these books is *al-Musnad al-Imam Ahmad bin Hanbal*.

ii. Takhrij Through Knowledge of the Initial Narration of Hadith:

This is the easiest method compared to the others. However it needs the verifier to know with certainty the initial narration of the hadith to be verified. Then he must refer to the books compiled based on the initial narration. Usually these books are compilations of hadith which are *mashhur* (well-known / never less than three lines of narrations) to the society, such as *Jam' al-Jawami'* by al-Suyuti, *al-Tadhkirah fi Ahadith al-Mashtaharat* by al-Zarkashi and so on.

iii. Takhrij Using One or More Important Words or Gharibin a Hadith:

This method requires the verifier to select one or more important or famous words in a hadith, then tracing it in *al-ma'ajim* books (dictionaries). This method is also as simple as the first method though it is more time-consuming.

iv. Takhrij by Using the Title or Theme of a Hadith:

This method requires the verifier to ascertain the title or theme of a hadith to be verified, and then to trace it to a hadith book guided by the title or theme. For example, if the theme is fiqh, then reference is made to the fiqh chapter in the hadith book, for example, to look for hadith on the advantage of ablution before prayers, then reference is made to '*kitab al-wudu' bab fadl al-wudu'* in any fundamental hadith book, such as *asal-Sahih* by al-Bukhari.

v. Takhrij by Identifying Specific Characteristics in a Hadith:

This method requires knowledge of the specific characteristics in a hadith, in terms of the *sanad* (support) or *matn* (text). A verifier needs to have expertise to identify such characteristics, for example, signs of *irsal* (incomplete transmission), *waqaf* (discontinued) or *illh* (concealed defect), *mutawatir* (consecutive),

mashhur (never less than 3 lines of narration), *da'if* (weak) or falsity in the *matn* of the hadith, then to refer to a hadith book which specifically compiles hadith with such characteristic. An example is the book *Silsilat al-ahadith al-Da'ifah wa al-Mawdu'ah* compiled by al-Albani for hadith which are *da'if* and false. This method is more difficult than the methods above.

All five methods above have their own advantages and shortcomings. Thus, it is suggested that a verifier should not rely only on one or two methods. All the methods may be used and may complement each other. However, the sixth method, as follows, may lessen the problems of verification.

vi. Takhrij Using the Internet or Hadith Software:

This method is the easiest and fastest method whereby the above five methods can be applied by accessing the internet or hadith software. Some *mawsu'ah/mu'jam* (encyclopedia/dictionary) programs may be used, one of which is the *al-Maktabah al-Syamilah* program or through an electronic system in various forms, online (internet) and CD.

Criteria for a Hadith Verifier:

Due to the extensive scope of hadith knowledge and the subject of *takhrij* research practice, a heavy responsibility lies on the shoulders of the verifier. Thus, it is essential that he/she at least meets the relevant criteria which help in verification, which are as follows:

i. Competent in Arabic Language:

A verifier needs to understand Arabic language because all the primary materials for *takhrij* and references are in Arabic. The probability of error and difficulty would be so great were there to be access to hadith and transference into text without knowing Arabic.

ii. Knowledge of ilmu'ulum al-Hadith wa Mustalahuh (Sciences of Hadith and Terminology):

It is not sufficient to know the theories of the above sciences which are tools of knowledge, but it is also necessary to master the practical skills. Without being highly skilled, it would be quite difficult to practise *takhrij*.

iii. Knowledge of Takhrij Source Books:

A verifier needs to have fundamental knowledge, the more extensive the better, of various book collections of hadith, their systems of writing, their ranking and status as source books and so on. Without this knowledge, it is difficult to fulfill the responsibility in producing research outcome.

Conclusion:

Takhrij or verification and authentication is not an easy task. Among the reasons for doing it is to know where to place a hadith and, more importantly, to rank or grade the hadith as explained before. This is essential because hadith is used as the argument and authority in deciding a legal ruling. Before a legal ruling is decided, the argument must be from an authoritative source, from al-Quran and authentic hadith. It is irresponsible for someone to study and decide on a *hukum* or *fatwa* on any issue, by making reference to a hadith without knowing its ranking. The practice of *takhrij* is a form of *jihad* in preserving religion and the Prophet's (pbuh) Sunnah. Not only *takhrij*, ascertaining the ranking or value of a hadith is also considered as a *jihad* which must be done with utmost caution.

In view of hadith as a second source of Shariah after al-Qur'an, important specifically for issuing a *fatwa* or *hukum* on an issue to be decided, it follows that the practice of *takhrij* becomes just as important. Its purpose is to help extract and deduce from an authentic hadith, not a weak hadith and never from a false hadith.

REFERENCES

- Abu al-Layth, Muhammad Abu al-Layth al-Kahyabadi, 2008. *Takhrij al-hadith Nash'atuh wa manhajiyatuh*. Amman: Dar al-Nafa'is.
- Abu Shahbah, Muhammad bin Muhammad, 1991. *Difa' 'an al-Sunnah*. Beirut: Dar al-Jayl.
- al-Khatib, Muhammad 'Ijaz. 1988. *Al-Sunnah Qabl al-Tadwin*. Cairo: Maktabah Wahbah.
- al-Qaradawi, Yusuf. 2000. *Al-Sunnah al-Nabawiyyah Masdar li al-'Ilm wa al-Ma'rifah* (Terj). Terjemahan Muhammad Firwaud. Selangor: International Institute of Islamic thought & Thinkers Library Sdn Bhd.
- al-Siba'i, Mustafa. 1998. *al-Sunnah wa makanatuha fi al-tashri' al-Islamiy*. Cairo: Dar al-Salam.
- al-Tahhan, Mahmud. 1996. *Usul al-Takhrij wa Dirasat al-Asananid*. Riyadh; Maktabah al-Ma'arif.
- Ibn Qayyim al-Jawziyyah, Muhammad bin Abu Bakr, 1995. *Al-turuq al-Humuyyah fi Siyasah al-Shar'iyah*. Tahqiq Muhammad Hamid al-Faqi. Beirut: dar al-Kutub al-'Ilmiyyah

Jawiah Dakir, Udah Mohsin, Faisal Ahmad Shah & Mazlan Ibrahim. 2009a. Famous (Masyhur) Hadith in the Muslim Society of Malaysia: Reality and the need for Verification and Authentication. Paper presented in Conference on Takhrij Nusantara organised by Department of al-Quran dan al-Hadith, Islamic Studies Academy, Universis of Malaya (APIUM) on 31 Desember 2009 di Dewan Ilmu APIUM.

Jawiah Dakir, Udah Mohsin, Faisal Ahmad Shah & Mazlan Ibrahim. 2009b. Verification and Authentication of Famous (Masyhur) Hadith in the Malay Society: Efforts to Preserve and Purify al-Sunnah from False Hadith. Paper presented in International Conference on Empowering the functions of al-sunnah organised by Faculty of Theology and Philosophy, Stated Islamic University Alauddin, Makassar on Februari 2010.

Jawiah Dakir & Faisal Ahmad Shah, 2012. A Contextual Approach in Understanding The Prophet's Hadith: An Analysis. *Journal of Applied Sciences Research*, 8(7):3176, 2012.

Yusuf Marra'ashliyy. 2008. *Ilm takhrij al-hadith wa bayan kutub al-sunnah al-Mushrafah*. Beirut: Daral-Ma'rifah.