

Orientalists' Perspectives on Hadith

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Abstract

This article aims to explain the views of the Orientalists about the Prophet *hadiths*, especially in terms of their origins and authenticities. This study begins with the history of *hadith* studies among the Orientalists. Continued with the discussion of the Orientalist attitude toward Islam and *hadith*, their views on the definition of *hadith* and *sunnah*, their views on *isnad* and *matn* of *hadith*, their views on the codification of *hadith*, and their views on the *hadith* as a source of Islamic law. In studying the *hadith* of the Prophet, the Orientalists began with a skeptic attitude that doubted the truth of *hadith* coming from the Prophet. They concluded that all *hadiths* were not derived from the Prophet but were fabrications of the Muslims in the first and second centuries of Hira which were then relied on the Prophet to obtain justification. The term of *hadith* and *sunnah* also did not come from the Prophet and the *isnad* and *matn* of *hadiths* are all false. Similarly, the codification of the *hadith* had never occurred in the time of the Prophet but in the second century Hira. Therefore, the *hadith* can not be used as a source of Islamic law and Islamic teachings.

Keywords: Hadith, Sunnah, Isnad, Matn, Codification, Orientalists, Hadith Scholars

Introduction

The study of orientalists cannot be separated from orientalism. The word orientalism derived from *orient* and *ism*. The word *orient* means *direction of the rising sun* (Maufur, 1995: 11). This word, geographically, implies to the east and ethnologically indicates to the eastern nations (Sou'yb, 2005: 1). Broadly speaking, the word *orient* also means an area stretching from the Near East regions (Turkey and surrounding areas) to the Far East (Japan, Korea, China) and South Asia to the Muslim Republics of the former Soviet Union, and the Middle East region to North Africa

(Maufur, 1995:11). While the term *ism* means establishment, science, knowledge, understanding, belief, and systems. Thus, etymologically, orientalism can be defined as the science of oriental or the study of the eastern world.

Orientalism term refers to all branches of science concerned with the study of eastern nations in all of its aspects such as religion, language, science, literature, art, and others. While the east (orient) world refers to part of the world identified by Western people as the world that includes all nations which lies at the east of the European continent. Western people divide the east world into three parts; the Near East, Middle East, and Far East (al-Dasuqi, 1995: 41).

Edward Said, terminologically, gives three basic understanding of orientalism, namely; a way of coming that relates to the Eastern nations on the basis of special places of East and West European experiences, a style of thought based on ontology and epistemology of the West, and a Western style for dominating, rebuilding, and having the power to the East (Said, 1994: 1-3). It seems that orientalism can be simplified as a study of the Eastern world. Therefore, Orientalists means somebody who studies oriental world, which in its development constricted into Islamic world. In this case, there is an opinion that limits the orientalist definition to Western people only, while other opinions do not limit it to certain groups (Hanafi, 1991: 9).

Based on Edward Said opinion above, it can be said that to determine whether a person is an Orientalist or not lies on the way of thinking in assessing the Eastern world, not on geographical aspects of the study. Therefore, it could mean that an Orientalist is a person who studies the Eastern (Islamic) world based on ontological and epistemological logic of the West, no matter whether he is a Westerner or not, Muslim or non-Muslim. Conversely, a person who studies the Western world using orient perspective called Oxidentalists. Nevertheless, usually the predicate of Orientalists is directed to the Western people who have an interest in studying particularly the Islamic world and generally the orient world.

As an intellectual and cultural activity, orientalism concerns with the following intellectual works; editing (*tahqiq*) and publishing the books of Islamic heritage, studying local languages in many eastern countries, studying a variety of social, economic, and psychological factors that affect a nation behavior, studying various sects and faiths in a country, whether moderate or extreme, and examining ancient relics in various countries (Marzuq, 1991: 136-137).

The positive contribution of orientalism toward Muslims is reflected in the fact that the Orientalists had been editing and publishing manuscripts and catalog of Islamic manuscripts, disseminating scientific research methods when studying *turath*, making index of books such as *al-Mu'jam al-Mufahras li Alfaz al-Hadith* by E.J. Wensinck, and so on.

At the beginning of its growth, Orientalists study of Islam was in general term. It included every aspects of Islam, especially about Islamic doctrines and Muslims societies. However, through its progress, the study had been experiencing a specification so that it produced variety of Islamic studies branches such as the Qur'an, *hadith*, Islamic law, Islamic history, and so on. In the frame of the specified Orientalists study into several fields, this article will set forth their studies on the field of *hadith*. Among those who had been actived in studying and researching hadith were Ignaz Goldziher and Joseph Schacht. In addition to the two, some names that intersected with the Orientalist traditions were William Muir, Nabia Abbott, F. Sezgin, G.H. A.

Juynboll, Harald Motzki, J. Robson, W. Montgomery Watt, Von Guerboum, Arberry, Jeffre, Ira Lapidus, and others.

Hadith Study among Orientalists: A Historical Perspective

One of many areas of study being done by the Orientalists is the *hadith* of the Prophet. There is no certainty of history about who was the first Orientalist who conducted the study in this field. Many scholars disagree on this. According to G.H.A. Joynboll, as quoted by Daniel W. Brown, Western scholars who first made a skeptical study of Hadith was Alois Sprenger and then followed by Sir William Muir in his work *Life of Muhamet* and reached its peak in the work of Ignaz Goldziher (Brown, 2004:111).

According to Azami, the first orientalist who studied and researched *Hadith* is Ignaz Goldziher, a Hungarian-born Jewish (1850-1920 AD) through his work entitled *Muhamedanische Studien* in 1880, which contains his views on *hadith* (Azami, 1997: 94). This opinion is opposed by A.J. Wensinck that the first orientalists who studied it is Snouck Hurgronje who published his book *Revue Coloniale Internationale* in 1886 (Darmalaksana, 2004: 88). If this argument is true, then the work of Hurgronje was published four years earlier than Goldziher's work.

Furthermore, the study in this field was continued by Roskeen Alexander Hamilton Gibb, a British Orientalist (1895-1971) through his work *Mohammedanism* and *Shorter Encyclopaedia of Islam*, and followed by Joseph Schacht, a Polish Orientalist (1902-1969) through his work *The Origins of Muhammadan Jurisprudence*, G.H.A. Joynboll with his book *Muslim Tradition, Studies in Chronology, Provenance, and Authorship of Early Hadith*, Bernard G. Weiss, in his book *The Search for God's Law*, and many other names such as W. Montgomery Watt, Von Guerboum, Arberry, Jeffre, Ira Lapidus, and John L. Esposito.

Apart from the controversy above, something to note here is that Goldziher had succeeded in instilling doubts about *hadith* authenticity equipped by his scientific studies, so that his work was regarded as 'a holy book' by the Orientalists themselves (Yakub, 2004: 8). In addition, the presence of Joseph Schacht through his work *The Origins of Muhammadan Jurisprudence*, first published in 1950, regarded as 'the second scripture' by the subsequent Orientalists, also has a strong impact on a number of researchs and studies of *hadith* among them. Both these men have major role in the study in the Orientalist tradition. In fact, according to Ali Mustafa Yakub, to know *hadith* study in the Orientalist tradition it is enough to just explore the opinion of both, because the Orientalists after them generally only followed their opinions (Yakub, 2004: 9).

However, some Orientalists did not agree and had contrary views to their opinions. Freeland Abbott, for example, in his book *Islam and Pakistan* (1908) divided the substance of *hadith* into three major groups; *hadith* depicting the Prophet's life in general, *hadith* in question because of being inconsistent with the words of the Prophet, and *hadith* which tells revelation received by the Prophet (Jamilah, 2005: 175). Although the classification by Freeland Abbott is far different from that by *hadith* scholars (*muhaddithun*), it implies that he had recognized that *hadith* actually came from the Prophet. A more explicit recognition expressed by Nabila Abbott in her work *Studies in Literary Papiry: Qur'anic Commentary and Tradition* (1957), she asserted that *hadith* of the Prophet can be traced back to the time of the Prophet and are not made by Muslims after

the first century of Hegira. This view is based on manuscripts relating to the Traditions of the Prophet (Darmalaksana, 2004: 119-120).

Therefore, it can be said that there has occurred a shift opinion among the orientalists about the *hadith*. Some of them agree with Hurgronje, Goldziher and Schacht, but some are opposed to them in viewing *hadith*.

Orientalist Attitudes toward Islam and *Hadith*

The views of Orientalists about Islam, including *hadith* are not apart from their motivations and attitudes in studying Islam. At least, their attitudes can be grouped into three parts. Firstly, a neutral stance at the beginning of contiguity between East and West in the period before the Crusades. Secondly, post Crusades, that attitudes cross toward Islamic distortion motivated by religious sentiment that growing stronger. Thirdly, attitudes began to appreciate Islam happened in the development of contemporary orientalism driven by the spirit of a rational intellectual development. Although not a hundred percent objective yet, at this time the appreciation and respect for Islam began to be seen.

In the field of *hadith*, the Orientalist attitudes are closely linked to their images of the Prophet Muhammad. Because, how else talking about the Traditions will always be associated with Muhammad's words, deeds, and approvals which are the sources of it.

In this context, the images of Muhammad in the eyes of Orientalists can be viewed from two sides. One side, he is seen as a Prophet and Messenger who has freed mankind from tyranny. This view was expressed by Boulavilliers and De Savary. On the other side, Muhammad is seen as a pagan, a Christian and an apostate Jews who would destroy the Christian and Jewish teachings, a smart intellectual who has strong imagination and a liar, and a witch who diseased epilepsy. This view was expressed by D'Herbelot, Dante Alighieri, Washington Irving, Hamilton Gibb, Goldziher and Joseph Schacht (Said, 1994: 85).

The ambivalence attitudes above have formed the same images about *hadith*. In the term that they who had negative view of the Prophet Muhammad would have negative view on it too, and *vice versa*, although this does not indicate the necessity. Similarly, if classified as a whole, the groups of Orientalists who denounced *hadith* are more than the groups that recognized its existence.

According to Sa'd al-Marsafi, some Orientalists have skeptic views about the existence and authenticity of *hadith* of the Prophet (al-Mursafi, 2004: 19), because according to them, in the early days of Islamic growth, the *hadith* was not recorded as the Qur'an because the Tradition developing during the time of the Prophet and the Companions was primarily oral Tradition rather than written one, and once there was general prohibition to write something from the Prophet other than the Qur'an - eventhough there was also *hadith* to the contrary in particular - , it is possible that a lot of *hadith* with its questionable authenticity or doubtful existence at all, even all *hadith*, particularly those relating to law are said to be the work of Companions of the Prophet, his Followers, or of the scholars and jurists at the first century of Hegira and the beginning of second century of Hegira, and became a mature system since the advent of

compilation of it in the third century of Hegira that tried to make Islam as a multi-dimensional and comprehensive religion covering all aspects of life (al-Salih, 2003: 19).

Goldziher claimed that most *hadith* contained in the books of it's collections contain 'some kind of doubt than trustworthy things'. He concluded that the *hadith* was not an early historical documents of Islam, but rather a reflection of the tendencies or the interests which arised in the community during the development of maturity in that society. He based his view on some argumentations. Among these are the materials found in the next collections did not refer to the earlier references, the use of *isnad* also indicated the transmission of oral *hadith*, rather than referring to the written sources. In addition, some of them are found having many contrary narations. Another thing that makes him skeptic in the authenticity of *hadith* is the fact that there were junior Companions who transmitted it more than senior ones who were assumed to know more because they had been interacted with the Prophet for along time (Berg, 2000: 9).

In most Orientalists' opinions, *hadith* is only the work of *fiqh* scholars and experts who wanted to make Islam as a multi-dimensional religion, they assume that it is not more than human expression or a plagiarism of Jewish and Christian teachings. Hamilton Gibb stated that it is only Muhammad and his followers plagiarism from Jewish and Christian teachings. While Ignaz Goldziher and Joseph Schatch, two prominent Orientalists, stated that the *hadith* did not come from the Prophet Muhammad, but rather something that was born on the first and second century of Hegira as a result of the development of Islam (Jamal, 2007: 98-99).

Orientalists' Views on the Definition of *Hadith* and *Sunnah*

In *hadith* science ('*Ulum al-Hadith*), the term *hadith* is often equated with *sunnah*, although the two terms are not always identical because they have also different meanings. Among the scholars of *hadith* (*al-muhaddithun*), *sunnah* and *hadith* are synonyms, but *hadith* in general term used for everything reported from the Prophet after being a prophet (*bi'thah*) (al-Khatib, 1999: 27). Some scholars argue that *hadith* is limited only to the words and deeds of the Prophet, whilst his approval and properties are not included because they are the sayings and deeds of Companions ('Ataya, 2003: 8). Unlike *hadith* scholars, *Usul Fiqh* scholars argue that it is more specific than *sunnah* because it, according to them, is the *sunnah qawliyyah* (al-Khatib, 1999: 27).

According to Orientalists, *hadith* is considered different from *sunnah*. This difference could be seen on Goldziher opinion stating that *hadith* means a discipline that is theoretical, whereas *sunnah* contains practical rules. According to him, the habits and traditions that arise in worship and legal are recognized as procedures for the early Muslims period considered authoritative and had been being practiced is called *sunnah*, while a statement regarding the procedures is called *hadith* (Goldziher, 1991: 35). He also stated that *hadith* is characterized by oral story claimed as coming from the Prophet, while *sunnah* is every traditions emerged in the early second century of growth and development of Islam, regardless of whether there were *hadith* of the traditions or not (Goldziher, 1971; 24, al-Khatib, 1997: 250, al-Mursafi, 2004: 29).

If we compare between the opinions of *hadith* scholars and *Usul Fiqh* clerics with Orientalists' opinion, we know that they are very different in responding the terms of *hadith* and *sunnah*. For *hadith* and *Usul Fiqh* scholars, *hadith* and *sunnah* are both derived from the Prophet even to

certain aspects they have differences, for example in terms of when something is called a *hadith* whether before or after the Prophet was sent as a messenger, the scope of *hadith* and *sunnah* in the region of his act, deed, and approval, etc. While the Orientalists do not mean these two terms as something comes from the Prophet, but they view them as theoretical science (*hadith*) and a practical rule (*sunnah*) which comes from habits and traditions of worship and law in the early Muslims area.

Ignaz Goldziher claimed that the difference between *Sunnah* and *hadith* not only from their meaning, but also widen to the conflict of both. According to him, *hadith* is characterized by oral tradition that recognized comes from the Prophet, while *sunnah* is based on a commonly used practice among the early Muslims that pointed to legal and religious issues, whether there is oral news about the habit or not. A regulation contained in *hadith* is usually regarded as *sunnah*, but it does not mean that *sunnah* should have *hadith* which relevant and confirms it. He further stated that the *sunnah* is actually just a revision of the customs of the Arab people that had already existed (Goldziher, 1990: 24-25). Thus, according to him, *sunnah* is not from the Prophet but a habit that has developed and revised among the Arabs and then continued by Muslims as a tradition.

Similar opinion put forward by Joseph Schacht that *sunnah* is a concept of the ancient Arabs reapplied as one of the centers of Islamic thought. According to him, *sunnah* is no more than an ancient Arab tradition that resurfaced in the teachings of Islam (Schacht, 1994: 17). In this context, Fazlur Rahman concluded that the meaning of *sunnah* according to Schacht as of the Prophet's Tradition that did not exist at all until the second century of Hegira. The habits before the time are not regarded as a *sunnah* of the Prophet, but as a *sunnah* of society because the *sunnah* is primarily the result of people free thinking (Rahman, 1999: 57).

It could be argued that Goldziher's and Schacht's views on *sunnah* are relatively similar. Both of them assume that *sunnah* is not something comes from the Prophet, but only a continuation of the tradition of the Arabs which then revised and passed by Islam and then leaned to the Prophet.

Orientalists' Views on *Isnad* and *Matn* of *Hadith*

In conducting the study of *isnad* (the chain of transmission), the Orientalists seem more highlight about when the transmission began in *hadith* narration. According to Caetani, 'Urwah (d. 94 AH.) was the first person who collected *hadith* but he did not use the chain of transmission (*isnad*). He further stated that at the time of 'Abd al-Malik (d. between 70-80 AH.), the use of *isnad* in a *hadith* transmission was also not known yet. Caetani argued that the use of a new chain of transmission began in the period between 'Urwah with Ibn Ishaq (d. 151 AH). Based on his opinion, he concluded that most of *isnad* in the books of *hadith* were engineering results of it's experts at the second or even the third century of Hegira. This opinion then supported by Sprenger (Azami, 1995: 234).

The softer opinion expressed by Horovits that the use of *sanad* had been commenced in the third-first century of Hegira (Yakub, 2004: 99). R. Jobson said that in the mid-first century of Hegira there could have been a kind of chain of transmission methods. Because, at that time a

number of Companions had died while the people who never met the Prophet began to narrate his *hadith*, and naturally they would be asked by those who heard them, from whom they got it. Only, a detailed chain of transmission method had developed gradually after that (Yakub, 2004: 99-100).

Meanwhile, Joseph Schacht in his book *The Origins of Muhammadan Jurisprudence*, argued that the biggest part of *hadith* narrators are false. According to him, everyone knows that the chain of transmission (*isnad*) at first appeared in a very simple form, and then reached a level of perfection in the second half of the third century of Hegira (Schacht, 2002: 163). He stated that the chain of transmission is the result of engineering of the second-century Islamic scholars who laid the *hadith* to the previous figures until the Prophet to seek its strong legitimacy (Azami, 1995: 232-233).

This theory starts from Schacht's understanding about the development of *hadith* in line with the development of Islamic law. According to him, the Islamic law was known since the appointment of the *qadi* of Umayyad Dynasty. Around the end of the first century of Hegira, the appointment of the *qadi* addressed to the Islamic law scholars (*fuqaha'*) who were increasing in number and eventually became classical *fiqh* schools. To obtain the strong legitimacy of legal decisions taken, the *qadi* decisions were rested to previously figures considered having authority. This resting is not only to the generation above them, but also up to the Companions and eventually to the Prophet. This condition caused the emerging of an opposition group consisting of *muhaddithun*. The main idea of them is that the *hadith* along with their chain of transmission (*sanad*) which they set against the figures before them up to the Prophet. The back resting process like this is what then known as a projecting back theory. Based on this understanding, Schacht concluded that both groups of classical *fiqh* and *hadith* scholars had been fabricating *hadith*, therefore there is no ones which actually came from the Prophet, but it was a product born of rivalry between the scholars (Azami, 1995: 233).

According to Azami, this theory can be answered, in general, that *fiqh* (Islamic law) has evolved since the time of the Prophet. Because, the *fiqh* is a product of *ijtihad* of a *mujtahid*, while the Companions at their time, even at the time of the Prophet, had done this *ijtihad*. Therefore, it is difficult to accept Schacht's opinion that the Islamic law had been developed during the appointment of the *qadi* of Umayyad Dynasty. Furthermore, to clarify the theory, Azami made a special study of *hadith* of the Prophet contained in classical texts. Among these is a manuscript of Suhayl ibn Abi Salih (d. 138 AH). Abu Salih was a disciple of Abu Hurayrah, a Prophet's Companion. Hence, the *hadith* narrators in the manuscript are: *Prophet. – Abu Hurayrah - Suhayl*. This manuscript contains 49 *hadiths* that their narrators had been investigated by Azami up to Suhayl generation (third generation), including the number and their generation. From the investigation, Azami found that at the third generation, the transmitters number were around 20 - 30 people who lived scatteredly such as in India, Turkey, Morocco, and Yemen, while the text of the *hadith* they narrated are in the same words. Thus, he argued that it is very impossible, in accordance with the size of the circumstances at that time, they had gathered to create it with the same texts. It is also impossible if each of them made it and then by their next generation it is known that the texts they made are the same. This conclusion contradicts to

Schacht conclusion about the reconstruction of the formation of *sanad* and *matn* of a *hadith* (Azami, 1995: 233).

Among the Orientalists who criticized *hadith* in term of *matn* is Ignaz Goldziher and AJ Wensinck. They considered the *isnad* as a weak methods used by Islamic scholars so that automatically the resulting products can not be scientifically justified. Goldziher doubted all of *hadith matns* and judged them as creations of *hadith* scholars (*ahl al-hadith*) and rational experts (*ahl al-ra'y*) (al-Salih, 2003: 37). Goldziher cited a *hadith*: لا تشد الرحال الا الى ثلاثة مساجد (*Do not travel except to three mosques*). According to him, Malik ibn Marwan, a Caliph of Umayyad dynasty in Damascus, was worried if 'Abd Allah ibn Zubayr, the governor who proclaimed himself as a Caliph in Mecca, taking opportunity to ask *bay'a* to Sham people who would perform pilgrim. Therefore, he tried to keep them away from performing the pilgrimage to Mecca and instead it is enough to perform it to Qubba al-Sakhra in Quds, by ordering Muhammad ibn Shihab al-Zuhri to make the *marfu' hadith* above (Azami, 2003: 456-7).

A.J. Wensinck stated that the development and activities of thought among Muslims after the Prophet's death had opened the opportunity for the scholars to explain spirit of Islam through the *hadith*. The sayings of the scholars was what then known as *matn* (al-Mursafi, 2004: 40). This opinion of Wensinck is in line with the Orientalists's opinion above which lead to the opinion that the *matn* is not the Prophet's speaking, but words of the scholars which later leaned on the Prophet. Wensinck accused *hadith matn* about '*aqidah* (faith) and *shari'ah* (law) as fabricated *hadith*. For example, a *hadith* narrated by Ibn 'Umar that the Prophet said: *بنى الاسلام على خمس ... شهادة ان لا اله الا الله وان محمدا رسول الله ...* (*Islam is founded on five pillars; saying witness that there is no god but Allah and Muhammad is the messenger of Allah*). According to him, this *hadith* which contains creed is a creation of Companion of the Prophet and not a speaking of the Prophet, because the Prophet never obligated to pronounce the two sentences for someone who newly confessed Islam, just as the Muslims argued with the Christians in Syria, they had questions that need an answer with the two sentences (Azami, 2003: 460-461, Mursafi, 2004: 50).

The above description also shows that the Orientalist view of the *isnad* starts from their understanding of the *sunnah* which they believed as something that is not from the Prophet. They assumed that the *sanad* as well as *matn* contained in the books of *hadith* are creations of Muslim community and scholars in the second and third century of Hegira (Azami, 2003: 392). To support this belief, they were looking for some arguments so that the *isnad* being understood as the result of engineering of the scholars and the *matn* as their words or sayings.

Orientalist Views on Hadith Codification

About the beginning of *hadith* codification, Goldziher argued that the official codification did not begin at the time of 'Umar ibn 'Abd al-Aziz, but through the writing of *Muwatta'* book by Malik ibn Anas (w.779 AH.). Thus, he believed that the writing of *hadith* began in the late second century of Higura. The conclusion he got after reviewing the socio-political situation of Muslims at the first until the third century of Hegira that the *hadith* was a result of fighting and political conflicts between the dynasties occurred in the first centuries of Islam, and it was a reflection of

various aspirations of the streams, each of which wanted to make the Prophet as their authority and witnesses (Berg, 2000:11-12, Bahauddin, 1999: 65).

With all of his skepticism, Goldziher still accepted that the practices of *sunnah* conservation is authentic and some *hadith* is seemingly authentic. However, his skepticism is based on the absence of the oldest authentic evidence of *hadith* materials came from Companions' generation. He said as quoted by Herbert Berg:

“In the absence of authentic evidence it would indeed be rash to attempt to express the most tentative opinions as to which parts of the hadith are the oldest material, or even as to which of them date back to the generation immediately following the prophet's death. Closer acquaintance with the Vast stocks of hadith induces sceptical caution rather than optimistic trust regarding the material brought together in the carefully compiled collections” (Berg: 2000: 12).

It seems that, Goldziher's opinion - especially on the beginning of *hadith* codification - represents generally views of Orientalists who believe that the *sunnah* was not codified, at least, until the end of the first century of Hegira, and that the verbal transmission was the basic rule to codify the *sunnah* in the early second century of Hegira. The Orientalists also said that Islamic scholars have some contribution in fabricating some *hadith* used for political interests or a desire to overcome some causes of damages and irregularities during the Umayyad dynasty period (al-Dasuqi, 1995: 107).

In his *Muslim Studies* book, Goldziher wrote a special discussion on the codification of *hadith* (*tadwin al-hadith*). His conclusion is not different markedly from others. He stated that *tadwin al-hadith* began at the early second century of Hegira. Although he found some of it suggesting the existence of some *suhuf* (*hadith* notebook) at the time of the Prophet, he still doubted its existence. According to Subhi al-Salih, Goldziher's targets appear to be two things: Firstly, undermining to confidence in the memorization because people began to turn to writing since the beginning of the second century of Hegira. Secondly, assuming that all *hadiths* are fabricated by their codifiers who only collected them based on their desires and in accordance with their way of life (Bahauddin, 1999: 65).

The same with Goldziher in the issue of *hadith* codification, William Muir believed in *khbar mashhur* (famous information) which states that al-Zuhri was the first to codify the *hadith*, but Muir doubted the existence of the codification before the mid-second century of Hegira. He said that no authentic corpus (*mawthuqa*) before the mid-second century of Hegira. Meanwhile, Sprenger had been found and edited the *Taqyid al-'Ilm* book by al-Khatib al-Baghdadi in 1855 AD. He discussed widely the issue of codification by referencing to a number of arguments and the *hadith* which states that it had been written since the time of the Prophet (Bahauddin, 1999: 70).

Responding to the findings of Sprenger that *hadith* had been written since the time of the Prophet, Goldziher claimed that the opinion that *hadith* transmitted only by memorization is weak and wrong. He tried to analyze and conclude that in a *hadith*, the Prophet allowed it's writing, while in another one he forbade it. He also stated that there are a number of *athar* from Companions and Successors with contradict contents; some advices to write it and other prohibits

it. After seeing the *athar* of Companions and Successors, he concluded that there are conflicts between *hadith* experts (*ahl al-hadith*) and rational experts (*ahl al-ra'y*). Then he also concluded that the *hadith* and *athar* were formulated by the Companions and Successors (Bahauddin, 1999: 71-72).

Goldziher assumed that there are two major streams in the Muslim community at that time using *hadith* as weapon to support and defend their opinions and to weaken the opponent's arguments; *ahl hadith* and *ahl ra'y*. *Ahl ra'y*, according to Goldziher, relied on reason and ignored it with the argument that the *hadiths* were not codified or written in long enough time so that their teachings away and scattered. Therefore, they reinforced their opinions with *hadith* which they created themselves on the prohibition of writing them. In contrast, the *hadith* scholars did not stay silent about their opponents. They, according to Goldziher, also made false *hadith* about the permission of it's writing (Bahauddin, 1999: 72-73).

It seems that Goldziher opinion is very easy to be denied. The editor of *Taqyid al-'Ilm* book, Yusuf al-Usi, in his introduction to the book, said that the permission and the prohibition of writing does not concern with the conflict between *ahl hadith* and *ahl ra'y*. Because, among *ahl ra'y* there were who prohibited the writing of *hadith* such as 'Isa ibn Yunus (d.187 AH.), Hammad Thawri (d. 161 AH.). And, among *ahl ra'y* who allowed it's writing were Hammad bin Salamah (d. 167 AH.), al-Laith ibn Sa'ad (d. 175 AH.), Zayd bin Qudamah (d. 161 AH.) Yahya ibn al-Layman (d.189 AH.) and others. Meanwhile, among the *ahl hadith* who hated the writing of *hadith* were Ibn 'Ulyah (d.200 AH.), Hushaym bin Bashir (d.183 AH.), 'Asim ibn Dhamra (d.174 AH.) and others. While the *ahl hadith* who allowed it were al-Kala'i (d.197 AH.), 'Ikrimah bin' Ammar d.159 AH.), and Malik ibn Anas (d.179 AH.) (al-Salih, 2003: 38-57).

Orientalists' Views on Fabricated *Hadith*

As described above, both Ignaz Goldziher and Joseph Schacht argued that *hadith* does not come from the Prophet but rather something that was born in the first and second century of Hegira. As quoted by Ali Hasan 'Abd al-Qadir, Goldziher claimed that the biggest part of the *hadith* are as the result of the development of Islam in the first and second centuries both in the field of Islamic religioun, political and social aspects. According to him, it is not correct the opinion that *hadith* is Islamic documents that had existed since the firts period, but as the influence of Islam on the development of its maturity. In his book, *Muhammedanische Studien*, Goldziher says that when the rapid succession of Conquest let them to distant countries, they handed on these *hadith* of the Prophet to those who had not heard them with their own ears, and after his death, they added many salutary sayings which were thought to be accord with his sentiments and could, therefore, in their view, legitimately be ascribed to him, or of whose soundness in general they were convinced (al-Qadir, 2005: 127; Anghelache, Popescu, Anghel, 2018).

Goldziher statement above, although not directly stated that all *hadiths* are false, has doubted it's authenticity as a source coming from the Prophet. Firmer statement comes from Joseph Schacht that it can not be found any *hadith* of the Prophet, especially those associated with the law, which can be regarded as a genuine *hadith* from the Prophet (Schacht, 2002: 149).

From the above statement it is known that in Orientalists' point of view, *hadith* is not something came from the Prophet, but the result of scholars and Muslims creation at the first and second generation of Hegira century by making *isnad* (transmitters chain) to the Prophet. Therefore, in their view, all *hadiths* leaned to the Prophet are counterfeited (*mawdu'*). In his *An Introduction to Islamic Law* book, Joseph Schacht said similarly things:

"At an early period is the ancient idea of the Arab Sunna, normative precedent or custom, reasserted itself in Islam. The Arabs were and are bounded by tradition and precedent. Whatever was Customary was right and proper, whatever the forefather had done deserved to be imitated. This was the golden rule of the Arabs whose existence on a narrow margin in an unpropitious environment the did not leave much room for experiment and innovation which might upset the precarious balance of Heir lives. In this idea of precedent or Sunna whole conservatism of the Arabs found expression." (Burton, 2001: x)

Thus, according to Goldziher and Schacht, the *sunnah* or *hadith* is not something came from the Prophet, but the results of the early Muslims creation, or a tradition that occurred among Muslims which then leaned to the Prophet. This opinion has been refuted by the *hadith* scholars.

Orientalists' Views on *Hadith* as a Source of Islamic Law

Orientalist views on *hadith* as a source of Islamic law can be traced from their opinions on the role of the Prophet Muhammad in the formation of law. As it is apparent in view of Joseph Schacht, Anderson, Snouck Hurgronje, and E. Tyan. According to Schacht, the purpose of Muhammad as a Prophet is not to create a new legal system, but merely to teach men how to act in order to safely deal with calculations on the day of reckoning and to go to heaven. Similar opinion expressed by Anderson that Muhammad did not try to accomplish a comprehensive legal system, but only did a little amendment to the customary law that had already existed. Snouck also stated that Muhammad was well aware of how he did not meet the conditions to complete the legal affairs unless absolutely urgent. The same views expressed by E. Tyan that if one glance at the work of Muhammad, he will easily believe that Muhammad did not intend to hold a new legal system (Azami, 1995:19-20; Abdullah, Nasri, & Ayub, 2018).

Some view above shows that in the eyes of the Orientalists, the Prophet Muhammad did not have capacity and authority in establishing law. They rejected the establishment of systematic law of the Prophet, which consequently led to the rejection of *Sunnah* as a source of Islamic law. Even if there is *sunnah* as a source of the Islamic law, then it's not something came from the Prophet, but came from a tradition that had existed and developed in the pagan community which later revised or in the early generation of Islam.

More than that, departing from accusations and assumptions of the Orientalists on the Qur'an as the words of the Prophet Muhammad and *sunnah* or *hadith* as artificial of Companions, Successors, and the clergy as well as jurists, not only Islamic law or *fiqh* can not find its original characters, but also the Orientalists accused the Islamic law as a result of plagiarism or refer to the law and act of Roman (al-Mursafi, 2004: 19). Besides, they also argued that Islamic law derived from religious laws of the eastern church, Rabbi and Talmut law as well as the Sassanid

law, rather than referring to the Qur'an and *hadith* as the main source of Islamic teachings (Jamal, 2007: 330).

Conclusion

The Orientalist views of the *hadith* and *sunnah* are very different from the opinions of Muslim scholars. This is motivated by differences in the point of view (formal objects) in addressing the source of Islamic teachings. The Muslim community believed that the *hadith* really originated from the Prophet because as it is stated in many verses of the Koran that all Muslims should follow the Messenger of Allah, including the *hadiths* he conveyed. Besides, there is historical evidence that the Prophet always solved problems with his Companions they faced regarding worship or social activities. All of that had been remembered and memorized by the Companions as their life guide, which were then conveyed to the following generations.

Whereas, Orientalist views started from being skeptical of the *hadith* and everything coming from the Prophet so they had been looking for historical evidence in their own way, and concluded that the *hadiths* did not originate from the Messenger of Allah but they were statements of the people in the first and second centuries of the Hira which then leaned to the Messenger of Allah. Therefore, Orientalists argue that the *hadith* and *sunnah* did not from the Messenger of Allah, the *isnad* and *matn* of *hadith* are false, *hadith* is not a source of Islamic law because the Prophet Muhammad was not sent to establish the law. Thus, according to the them, the entire *hadiths* of the Prophet are false which did not originate from the Prophet Muhammad, but was made by Muslims in the early days, namely in the period of Companions and Successors.

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