



Mustofa Azami's Criticism of Joseph Schacht's Thoughts on Hadits

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Abstract : *Joseph Shacht a theory developer of the origin of hadits developed by Goldziher. The study of sanad has become a central topic that has received more attention. Some of the theories developed by Schacht lead to doubts about the authenticity of the hadits sanad. Sanad is only made by people who lived later and then leaned on to an authoritative figure to seek its legality. The results of this scientific work received criticism from Azami by bringing other evidence to rely on. The claim to the correctness of Schacht's theory is then considered not objective in terms of scientific truth standards. Some of the problems above are the focus of the study in this study, based on critical analysis methods and historical approaches. The result of the research is that the Sunnah is an expression, habit and way of life even though at that time the habits agreed by the community then relied on the Prophet. The more complete the series of sanads, as an indication, the further away from the Prophet's life. Sanad as a basis for dating a hadits. Even the appearance*

of sanad was earlier than the hadits editorial. Schacht based the development of the hadits sanad study through the theory of back projection and common link. Azami's criticism of Schacht's theory is as a baseless scientific lie. These theories stand on some of Schacht's misunderstanding of the theory and terms formulated by hadits scholars. Schacht's theory of the Sunnah also contradicts the historical realities prevailing in the early Islamic world.

Keywords : *Mustofa Azami, Joseph Schacht, Hadits, Authenticity, Theory*

Abstrak : *Joseph Shacht adalah seorang pengembang teori keaslian hadits yang dikemukakan oleh Goldziher. Kajian sanad menjadi topik utama yang mendapat perhatian lebih darinya. Beberapa teori yang dikemukakan oleh Schacht menimbulkan keraguan terhadap otentisitas sanad hadits. Sanad hanya dibuat oleh orang-orang yang hidup belakangan dan bersandar pada figur berwibawa untuk mencari legalitasnya. Hasil karya ilmiah ini mendapat kritikan dari Azami dengan membawa bukti lain yang bisa diandalkan. Klaim kebenaran teori Schacht kemudian dianggap tidak objektif dalam hal standar kebenaran ilmiah. Beberapa permasalahan di atas menjadi fokus kajian dalam penelitian ini, berdasarkan metode analisis kritis dan pendekatan historis. Hasil penelitian menunjukkan bahwa Sunnah merupakan ekspresi, kebiasaan dan pandangan hidup pada saat itu yang disepakati masyarakat kemudian bertumpu pada Nabi. Semakin banyak rangkaian sanad, mengindikasikan semakin jauh dari kehidupan Nabi. Sanad sebagai dasar penanggalan sebuah hadits. Bahkan kemunculan sanad itu lebih awal dari redaksi hadits. Schacht mendasari pengembangan kajian sanad hadits melalui teori back proyeksi dan common link. Kritik Azami terhadap teori Schacht adalah sebagai kebohongan ilmiah yang tidak berdasar. Teori-teori ini berdiri di atas beberapa kesalahpahaman Schacht tentang teori dan istilah yang dirumuskan oleh para sarjana hadits. Teori Sunnah Schacht juga bertentangan dengan realitas sejarah yang berlaku di dunia Islam awal.*

Kata Kunci : *Mustofa Azami, Josep Schacht, Hadits, Otentisitas, Teori*

A. Introduction

The thinking of Western scholars on the study of hadits is generally different from that of Muslim scholars. Among them, to name some of them are Ignaz Goldziher (1850-1921 AD), Joseph Schacht (1902-1969 AD), John Edward Wansbrough (1928-2002 AD), Juynboll (born 1935), Michael Cook (born 1940), Gregor Schoeler (born 1944), Norman Calder (1950 -

February 13, 1998), and Harald Motzki (1948–2019), some of the figures above are often found in long dialogues and discussions about the sunnah of the Prophet. This is natural because in terms of methods, approaches, and inclinations they are different, even though they both claim to be in the name of scientific objectivity. The method and approach of hadith scholars use the *ushuli* approach, which believes in the existence of hadiths as one of the main sources of the formation of Islamic law. So that the color of the results of thought is more of a theological or juristic type,¹ while the West is more concerned with sociological and historical approaches, thus making the hadiths a part of data that needs to be studied without being tied to certain beliefs, but as historical facts.²

Western thinking about the hadiths of the Prophet Muhammad can be mapped into several typologies, namely skepticism, sanguine (non-skeptical), middle ground,³ and neo-skeptic.⁴ As revisionists, they doubt the existence of the hadiths as an authentic legacy. Ignaz Goldziher and Joseph Schacht are known as pioneers of the hadiths criticism of the skeptical group who left global influence and created skepticism in the West.⁵ Joseph Schacht is a Western scholar who is quite influential in Islamic studies, especially the sunnah of the Prophet. His theory and thought are alleged to be the development of several of Ignaz Goldziher's theses which succeeded in making a skeptical framework of the foundation of the Prophet's sunnah. The depth of Schacht's discussion and thesis essentially stands firmly on the strength of the authenticity framework of the Sunnah. Schacht concentrates on the side of Islamic law as a whole, starting from the origin of Islamic law, its birth, and authenticity related to the emergence of the sunnah. Schacht's line of thought seems chaotic when juxtaposed with the theory of the birth of Islamic law, the theory of *e-silentio*, common links, and projecting back. It all comes down to the formation of Islamic law, the things that influence

¹Akhmad Minhaji, *Kontroversi Pembentukan Hukum Islam: Kontribusi Joseph Schacht* (Yogyakarta: UII Press, 2001), 16.

²Rahmadi Wibowo Suwarno, "Kesejarahan Hadis Dalam Tinjauan Teori Common Link," *Jurnal Living Hadis* (2018): 91.

³*Ibid.*

⁴Ali Masrur, *Teori Common Link GHA Juynboll, Melacak Akar Kesejarahan Hadits Nabi*, Cetakan Ke. 1. (Yogyakarta: LKiS, 2007), 2–10.

⁵Ali Mustafa Yakub, *Kritik Hadis* (Jakarta: Pustaka Firdaus, 2000), 17.

its emergence and development. Schacht succeeded in giving confidence as if his scientific works were based on an objective scientific framework.⁶

Schacht is very bold in expressing controversial views regarding the formation of Islamic law, especially those based on the Prophet's sunnah. Among other things, the emergence of new Islamic law appeared during the time of the Umayyads with the appointment of judges, even during the time of Ash-Shabbi (d. 110 H) it has not been found. To seek the legality of their views, the judges rested their opinions on the previous figures. This condition has made the hadith scholars create false hadiths as a balance to the movement of Islamic jurists above. Sanad appeared on a large scale along with the development of classical jurisprudence.⁷ Schacht also said that the sunnah was nothing but a tradition that lived in early Muslim societies. Naturally, if the sunnah does not correlate with the words and behavior of the Prophet. The school of fiqh plays an important role in formulating the sunnah, as an effort to find the legality of its opinion.⁸ This theory made Muslim thinkers try to provide criticism, including Azami.

Azami positioned himself as a hadith thinker who was contradicting a line of Western thinkers, especially Joseph Schacht. According to Azami, Schacht has made a false theory on the origin and development of hadiths. Schacht could not escape from Goldziher's influence in hacking the theory of the origin of hadiths and its narration. This is the main point that makes Azami examine Schacht's thinking because he has misrepresented the hadiths of the Prophet Muhammad as different from historical reality. Azami thought departs from the theory that has been built by classical scholars with their seriousness and seriousness. Schacht has misunderstood the historical realities that accompanied the growth of hadiths, such as the projecting back theory and the common link. The theory was built to guard the previous statements of his predecessors, especially Goldziher. This paper will examine Azami's thoughts and criticisms of Schacht's thoughts.

Several studies have existed as data to place this paper's position. Ali Masrur examines Juynboll's thinking which is not strictly revisionist, but

⁶Irzak Yuliardy Nugroho, "Orientalisme Dan Hadits : Kritik Terhadap Sanad Menurut Pemikiran Joseph Schacht," *Asy-Syari'ah: Jurnal Hukum Islam* (2020): 157.

⁷*Ibid.*, 159–162.

⁸Hasan Suadi, "Menyoal Kritik Sanad Joseph Schacht," *Riwayah : Jurnal Studi Hadis* (2017): 94.

takes a middle position in the study of historical criticism. Meanwhile, Zikri Darussamin criticized Goldziher for having thoughts about Islam, especially the Prophet's sunnah, which tends to be tendentious. Kamaruddin Amin notes that the activities of hadiths criticism among Muslims tend to be stagnant, while Western methods of criticism can be developed to examine the authenticity of hadiths in the context of developing hadiths studies. In his writing, Umayyatus Syarifah contains two outlines of Azami's thoughts in the study of hadiths, namely the writing and criticism of hadiths, and responses to Schacht, it's just that this paper is monotonous and the discussion is brief and less dialogic. Hasan Suadi criticized Schacht for reviewing the Prophet's hadiths from the side of the sanad which is oriented towards the historical aspects of hadiths. There is Azami's criticism but in passing. Aan Supian describes Schacht and Goldziher's thoughts, as well as Azami's little criticism of them in a simple way. Meanwhile Munandar refuted Schacht's great theory that most of the Prophet's hadiths were false, which was based on the circulation of the isnad in the second century Hijriah or the end of the first century Hijriah. This paper examines the Projecting Back theory, E Silentio Theory, and Common Link Theory, and does not base it on Azami's thinking. Maliki and Husnul Hidayati highlighted the thought of Kamaruddin Amin's hadiths, which analyzed several criticisms of Schacht's hadiths theory, such as e silentio, which has also received criticism from Western scholars. The theory is considered speculative and reckless which judges a hadiths as fake status based only on its popularity and tendentiousness from certain groups.

This study focuses on Azami's critique of Schacht's thoughts on the Prophet's hadiths. Azami's criticism is directed at some of the theories developed by Schacht in order to corroborate his big conclusion that the Prophet's hadiths are mostly fake news which cannot be used as legal basis.

This study uses the descriptive-analytic method, which is a method used to analyze existing data, then classify it so that it leads to conclusions from various elements of the data, especially related to figures.⁹ The data comes from primary data, namely the writings of Joseph Schacht and

⁹Harun Nasution, *Tradisi Baru Penelitian Agama Islam, Tinjauan Antar Disiplin Ilmu* (Bandung: Pusjarlit & Nuansa, 1998), 44–50.

Mustafa Azami. The secondary data is the various works of other people who examine the thoughts of the two figures.

B. Theoretical Framework

1. The origins of hadits according to Joseph Schacht

The background for the selection of orientalists is Schacht, this is based on the general reality that other Western thinkers are only repetition, explanation, and strengthening Ignaz Goldziher and Joseph Schacht's thoughts.¹⁰ It is clear how they influence the study of hadits in the West. From this discussion, it will be seen how much interest Goldziher and Schacht have in the study of the Prophet's Sunnah. In some of the previous discussions, it has been described how the results of the two thoughts have become the main source of hadits thought in the West and have become a kind of main reference book in the study of Sunnah. The current developed by both is to doubt the position of the Prophet's Sunnah in Islam.¹¹ This doubt was raised from the concept of the Sunnah which according to him did not come from the person of the Prophet but was made by people who lived in the future who were far from the Prophet's life.

Schacht's main thoughts on the Sunnah and hadits are those that are oriented towards Goldziher's thesis. In Schacht's hands, the study of hadits has developed and is most prominent in carrying out the tradition of skepticism, and has embedded more comprehensive basic principles for the study of hadits in the West.¹² Schacht's efforts in deepening the study of hadits relied on the origins of hadits, the study of isnād as a link in the chain of hadits narration, and developed to reject the authenticity of hadits.¹³ Schacht in providing an understanding of the Sunnah cannot be separated from the term practice and living tradition living. According to Schacht

¹⁰Abdurrahman Wahid classified Orientalists into three periods, namely the pre-Goldziher period, the Goldziher period and others, and the post-Goldziher period. Abdurrahman Wahid et.al., "MM Azami's Contribution to the Investigation of Hadith" in MM Azami, *Pembelaan Eksistensi Hadis*, Ke 1. (Jakarta: Pustaka Firdaus, 2002), 27–32.

¹¹Ignaz Goldziher, *Muslim Studies, Muslim Studies*, terj. SM Stern & CR Barber, London: George Allen & Unwin, (1971), 17–32.

¹²Herbert Berg, *The Development of Exegesis in Early Islam: The Authenticity of Muslim Literature from the Formative Period*, Curzon: Curzon Press (2013), 13.

¹³Harald Motzki, *The Origins of Islamic Jurisprudence Meccan Fiqh before the Classical Schools*, ed. Marion H Katz (Leiden: Brill, 2002), 10–13.

Sunnah according to the classical Islamic legal theory is the ideal action of the Prophet, to be precise it is a past action, like a view of life.¹⁴

Schacht relies on his opinion on Goldziher who states that the term Sunnah is a term for animists which was later adopted into Islam. Schacht explained, Sunnah is nothing but an expression relied on the prophet, habits and way of life even though at that time the habits used did not come from the Prophet.¹⁵ Schacht concluded that Sunnah has become a habit, a behavior that has become a collective agreement in society.¹⁶ Schacht emphasizes that elements of pre-Islamic traditions continue to persist in the face of Islamic law. The mixed period of these pre-Islamic traditions has since the first century of Hijriyah.¹⁷ The background for the emergence of the belief that the Prophet Muhammad was used as a source of law or mediator, departs from the Arabic tradition before the arrival of Islam, namely the tradition of appointing someone as an intermediary (ḥakam) on problems that arise in society. Schacht noted that the Prophet Muhammad himself was willing to become an ḥakam among those who believed in their disputes, even though he firmly refused to be called kāhim, because the decision made by the Prophet was not based on a specific incantation but was based on the revelation of the Koran.¹⁸

So the Sunnah is an innovation on the traditions of the Arab nation brought by the Prophet which was then believed to be carried out by believers, made sacred through traditions and habits that have been running since the time of prophecy.¹⁹ On the one hand, Schacht describes that Sunnah was a term used in the early second century for the purposes of administrative regulation of the Umayyad government.

¹⁴Schacht calls the sunnah with “*The classical theory of Muhammadan law defines sunna as the model behavior of the Prophet*”. Schacht insists “*sunna means, strictly speaking, nothing more than 'precedent', 'way of life'*”. See Joseph Schacht, *The Origins of Muhammadan Jurisprudence* (London: Oxford at the Clarendon Press, 1971), 58.

¹⁵Motzki, *The Origins of Islamic Jurisprudence Meccan Fiqh before the Classical Schools*, 142–149.

¹⁶*Ibid.*, 148–149.

¹⁷Joseph Schacht, *Pengantar Hukum Islam*, ed. Derta Sri Widowati (Bandung: Nuansa Cendekia, 2010), 6.

¹⁸*Ibid.*, 38.

¹⁹*Ibid.*, 46–47.

Schacht then gave evidence of the emergence of the Sunnah, such as the use of the term Prophet's Sunnah in the letter of Abd Allāh ibn 'Ibad, a Khawarij leader addressed to the caliph Abd al-Mālik (Bani Umayyah) around the year 76 AH. Schacht describes the emergence of the term Sunnah which later became standard for something that passed away to the Prophet, emerging from the movement of opposition to the tradition of the scholars of classical law. The main thing that hadiths scholars raised was that formal traditions originating from the Prophet replaced the living traditions of the classical law school. Schacht tries to criticize the existence of these legal traditions as something that cannot be said to be authentic, the reason is that they only appeared in the first half of the second century Hijriyah and after.²⁰

The emergence of these hadiths scholars did not necessarily receive a positive response and wide acceptance from classical legal scholars. But they were faced with a tough challenge, according to Schacht, the way of thinking of hadiths scholars was inferior to those of classical law schools, including al-Syafi'i. The figure of al-Syafi'i, in Schacht's view, is part of the Medina tradition but still adheres to the hadiths of the Prophet, and is considered to have succeeded in synthesizing the way of thinking of the classical legal school group and hadiths scholars who adhere to hadiths. It was during this time of Al-Syafi'i that legal thought reached its peak, so that Schacht also acknowledged that al-Syafi'i's legal theory was a perfect systematic work and was superior to classical legal theory.²¹

Herbert Berg explains in detail the meaning of Schacht's argument, the problem of legal establishment in the classical legal school of the middle of the second century Hijriyah often relies on the hadiths that was returned to the tabi'in. If the text of the hadiths is only known by a group of people who support legal opinions while other groups do not know it, while the hadiths is seen as an important source of law, then it can be ascertained that the hadiths actually does not exist and is just fabricated. According to Berg, this is the

²⁰Lutfi Rahmatullah, "Otentisitas Hadis Dalam Perspektif Harald Motzki," *Jurnal Studi Ilmu-ilmu Al-Qur'an dan Hadis*, Vol. 7, No. 1 (2006): 68–71.

²¹Schacht, *Pengantar Hukum Islam*, 73–86.

principle of Schacht's thinking regarding the argument a silentio, even though he thinks it's forced.²²

Meanwhile, related to the historical context surrounding it, according to Schacht, is the emergence of the hadits in order to fortify the opinion of the group that issued the hadits. Then the group cornered by the existence of this hadits then makes another paradoxical hadits with the group as its opponent to support their opinion.²³ Thus, if we examine the varied traditions from the editorial side with contradictory traditions as a reaction from others, it will be known which hadits appeared first. Based on the editorial analysis of the existing hadits texts, it will be known that the main source of the words of the editorial hadits, which is usually to the tabi'in and then returned to people who first lived like friends and ultimately to the Prophet himself.²⁴

2. The debate about Sanad and the narration of hadits among hadits thinkers

The system existing isnād can also serve as a guide to confirm that a hadits was composed of people who lived far from the time of the Prophet. According to Schacht, the more complete an isnād will certainly indicate that the further away the hadits is from the Prophet's life, that is, it was made by abackward projection.²⁵ The function of this last theory to see the authenticity of hadits can be reconstructed through historical tracing of the relationship between Islamic law and what is called the Prophet's hadits. According to this theory, statements by jurists or hadits scholars long after the Prophet's death, either in the second or third century of the Hijriyah, are associated with the names of higher figures such as tabi'in, friends, and even the Prophet.²⁶ To meet the needs of sanad, then a convincing history was

²²Berg, *The Development of Exegesis in Early Islam: The Authenticity of Muslim Literature from the Formative Period*, 14; Fahmi Riady, "Asal Usul Hadis Menurut Herber Berg" (Yogyakarta, 2007), 45.

²³Schacht, *The Origins of Muhammadan Jurisprudence*, 36.

²⁴*Ibid.*

²⁵*Ibid.*, 163.

²⁶Schacht states: *The isnāds were often put together very carelessly. Any Typical representative of the group whose doctrine was to be projected back on to an ancient authority, could be chosen at random and put into the isnād.* Motzki, *The Origins of Islamic Jurisprudence Meccan Fiqh before the Classical Schools*, 31; Schacht, *The Origins of Muhammadan Jurisprudence*, 163.

made. Schacht concludes that in general the development of the transmission line (isnād) the more backward it is, the more complete and complete.²⁷

Thus, the existence of isnād can also be used as a guide to determine the age of the emergence of hadits, because isnād is part of the creation of lawmakers as in the editorial of hadits.²⁸ It's just that the emergence of isnād is much more backward than the hadits editors, along with the emergence of slanderous incidents among Muslims. Schacht states that slanderous incidents occurred in the first half of the second Hijriyah century after the killing of al-Wālid ibn Yazīd (d. 126 H).²⁹ Kamaruddin Amin argues, there are differences in understanding this word slander, Schacht might think that slander was meant when the killing of occurred Khalifah al-Wālid ibn Yazīd. There is also another possibility, namely the slander of the war between Ibn Zubair and Abd al-Mālik ibn Marwān (d. 82 H).³⁰ Meanwhile, Azami and most of the hadits scholars understand that slander occurred at the time of Usman ibn Affān (d. 15 H) and Alī ibn Ṭālib (d. 17 H). So, it is difficult to accept Schacht's view above.

This is in line with Robson's statement, that Schacht's theory of slander is not entirely correct. The slanderous incident occurred in the middle of the early first century of Hijriyah. After that, sanad began to appear to sort out the authentic traditions of the hadits. According to Schacht, sanad appeared only after the slanderous incident.³¹ If slander is meant after the murder of Usman, then it is in accordance with the views of the majority of Muslims, while if Schacht's opinion is based on the murder of al-Wālid ibn Yazīd, it is certainly not true.³²

²⁷ Generally speaking, we can say that the most perfect and complete isnāds are the latest. In Schacht, *The Origins of Muhammadan Jurisprudence*, 165.

²⁸ Joseph Schacht, *An Introduction to Islamic Law* (Oxford: Clarendon Press, 1964), 34.

²⁹ *Ibid.*, 36–37; Mustafa Al-Siba'i, *As-Sunnah Wa Makanatuha fi al-Tasyri al-Islami* (Beirut: Al-Makhtab al-Islami, 1998), 92–97.

³⁰ Kamaruddin Amin, *Isnad and The Historicity of Hadith* (Jakarta: Pustaka Mapan, 2008), 60–62.

³¹ *Ibid.*, 63.

³² MM Azami, *Studies In Early Hadith Literature With A Critical Edition of Some Early Tekts* (Beirut: Al-Makhtab al-Islami, 1968), 213–214.

Schacht underlined that isnād is a part of irresponsible and careless actions in the hadiths. Because the hadiths is not from the narration of the Companions, but only leaning far back then reaches the companions and is considered a more authoritative person.³³ Schacht began to criticize the process of hadiths based on the chain narrating isnād. According to him, the network Isnād appears later than the content of the hadiths. The case that Schacht raises is the historical path of Mālik ibn Anas - Nāfi' - Ibn Umar. Schacht's analysis which rejects the path authenticity of the isnād family is based on three reasons; (a) the available sources of Sunnah are more readily available in Medina, (b) the hadiths narrated by Nāfi' is an important route of narration of the hadiths in Medina, and (c) the route isnād Mālik - Nāfi' - Ibn Umar is one of the best routes in view hadiths scholars.³⁴ The election of isnād Nāfi' is because, according to Schacht, Nāfi' died around the year 117 AH,³⁵ while the new Malik died in the year 179 AH. This is an indication of the suspicion that Malik may have been too young or a child when Nāfi' died. If so, of course, the authenticity of the isnād needs to be questioned.

C. Azami's Criticism of Joseph Schacht's Hadiths Thought

1. Back Projection Theory

Azami's criticism of Schacht's thoughts on the "back projection theory" leads to the view that the theory is just wishful thinking. In it, there is a conflict between the theory that is carried out and the arguments that Schacht has built himself. One side of Schacht is based on Goldziher's theory of the origin of the Prophet's sunnah from pre-Islamic times, but one occasion states that the Prophet's sunnah appeared in the Second Hijriyah century along with the use of the Qur'an for the term Sunnah.³⁶ Schacht's conclusion on the origin of hadiths is different from the principle of understanding among Muslims, it is reasonable because the benchmarks of the study through which he passes go beyond the truth of revelation.

³³Rahmatullah, "Otentisitas Hadis Dalam Perspektif Harald Motzki," 140.

³⁴Schacht, *The Origins of Muhammadan Jurisprudence*, 176.

³⁵Year of Nāfi's death is still being debated, some say that 117 H, 118 H, 119 H, dan 120 H. see Masrur, *Teori Commonk Link GHA Juynboll, Melacak Akar Kesejarahan Hadits Nabi*, 139.

³⁶MM Azami, *On Schacht's Origin of Muhammadan Jurisprudence* (Oxford: Clarendon Press, 1959), 105.

Concrete evidence of this is his view of the concept of Sunnah leading to the pre-Islamic tradition, early Islamic society, contradicting classical fiqh schools, and the results of Syafi'i's reflection.³⁷

Azami believes that Schacht's main thinking about the Prophet's Sunnah depended on how he understood the concept and urgency of the Sunnah. Schacht sees the Sunnah as living tradition. The basis of this view according to Azami is the views of Margoliouth and Ibn al-Muqaffa' which state that the concept of Sunnah only emerged at the beginning of the second Hijriyah century for the benefit of the Umayyad administration.³⁸

Azami questions Schacht's conclusions based on Margoliouth's references. Azami then explained the reference referred to, namely the Sunnah is nothing but a living tradition and has not yet been real. Azami added, in the reference, there are expressions of the Sunnah which were not always attributed to the Prophet, although there were also words to him. However, according to Azami, the conclusions are drawn areas if the Sunnah did not yet exist except at the beginning of the second century. This ambiguity is seen in the definition of the Sunnah even though it contains the expression to obey the Prophet's Sunnah, even though the above mentioned Sunnah has not been clearly defined.³⁹

Azami questions how Schacht's view can be awakened as if the new Prophet's Sunnah was at the beginning of the Second Hijri century, while references are taken from the first half of the Hijri century. If Schacht was well aware of this, then why did he think the Sunnah of the Prophet only existed long afterward, while if the source is not true why is it also used as a basis for concluding.⁴⁰

Schacht also argues that isnād is not a route to the transmission of hadiths as prevailing among Muslims. According to Schacht, isnād is made by Muslims after the life of the Prophet. Isnād was created to seek legitimacy from the statements they made to previous people who were thought to have authority down to the Prophet.⁴¹ Isnād hadiths is considered valid only to the

³⁷Minhaji, *Kontroversi Pembentukan Hukum Islam: Kontribusi Joseph Schacht*, 17.

³⁸Azami, *On Schacht's Origin of Muhammadan Jurisprudence*, 36.

³⁹*Ibid.*, 37–40.

⁴⁰*Ibid.*, 40–41.

⁴¹Schacht, *The Origins of Muhammad an Jurisprudence*, 163.

scholars of the second century Hijriyah, while when it comes to the Prophet, then it is false.⁴²

Responding to this, Azami examined several reasons Schacht put forward when talking about isnād; namely the emergence of isnād in the second century or at the very end of the second century of Hijriyah, the result of engineering to support the opinion of classical sources, and the more the form of isnād become more complete in the past.⁴³ Azami further explained that backward projection theory does not make people sure of its truth. Azami's reason was that there was no way the narrators far from where they lived would agree to fabricate the hadiths. Even though it was very difficult to meet each other, in addition to the long-distance the means of transportation at that time were not like today.⁴⁴ Thus Schacht's view of the arrangement of isnād is getting more and more complete and improved an unwarranted assumption. While the isnād family claimed by Schacht is false, according to Azami not all of them are true. Because isnād there is a family which is valid and some are not.⁴⁵

Several problems arise from this back-projection theory. *First*, if the narrator has made a hadith and relies on an authoritative source, of course, he will attribute it to an older and famous figure like Abū Hurairah rather than Abū Bakr. One thing that is difficult to accept from the point of view of the virtue of the narration of hadiths. *Second*, many histories have similar editors to various kalam schools. While each of the kalam schools contradicts each other, why not choose a different editorial staff. *Third*, the domiciles of each narrator were not in one area but far from each other. Could it be that they communicate with each other nowadays which have communication tools? Of course, it will be difficult to make sense if they agree to forge a series of transmission lines.⁴⁶

Azami explained, when a friend has some students, and at a certain time the student also has the same number of students back in his time, for

⁴²*Ibid.*, 36–39.

⁴³*Ibid.*, 165.

⁴⁴Masrur, *Teori Commonk Link GHA Juynboll, Melacak Akar Kesejarahan Hadits Nabi*, 47.

⁴⁵Azami, *On Schacht's Origin of Muhammadan Jurisprudence*, 196–197.

⁴⁶MM Azami, *Dirāsāt Fī al-Ḥadīṡ al-Nabawī Wa Tārīkh Tadwīnih* (Beirut: Al-Makhtab al-Islami, 1985), 431–432.

example, of course, the existence of sanad will continue to increase along with the narrations delivered by each generation.⁴⁷ Further study Azami on Schacht's mistakes in studying the legal traditions, while the conclusions obtained are generalized to all hadits. According to Azami this method is wrong, which of course the result is also wrong.⁴⁸ The books referred to are al-Muwaṭṭa' by Imam Mālik, the book al-Muwaṭṭa' by Imam Muḥammad al-Syaibāni, and the books of al-Umm and al-Risālah by Imam al-Syāfi'i. In fact, according to Azami, the characteristics of the two sources sometimes say that the transmission line (sanad) is in one place while in other places it only contains a part. Al-Syafi'i acknowledged this matter in writing the hadits in his book "al-Risālah".⁴⁹ Likewise, in historical literature (tārikh), not all the hadits quoted in it have authentic qualities, but some are weak and even fake. Ibn Ḥajar explains the scientific capacity of al-Ṭabāri and the method of quoting narrations (hadits) in book Tārikhs. According to Azami, these books are more worthy of being called books of Islamic law than books of hadits, because these two types of books have different characteristics. Hadits research will be more precise if it is against hadits books so that it will be more comprehensive and precise.⁵⁰

This error had an impact on Schacht's perspective on the hadits. Schacht's view of the Sunnah concept does inspire a Muslim's emotions, Azami emphasized. How not, Schacht argues that Sunnah is a habit of the people of this concept is information about Medina Evidence *syu'ah*.⁵¹ Azami points out Schacht's mistake in taking the argument to corroborate his view. This error revolves around the misunderstanding of the reference to the hadits on which he is based. Another proof of Schacht's error is scientific dishonesty in arguing and hiding facts.⁵² Another case offered by Schacht in exposing the concept of Sunnah not only to the traditions of the people of Medina, but to the classical fiqh school, as described above, but also the Iraqi and Syrian schools are also considered the origin of the

⁴⁷ *Ibid.*, 405–415.

⁴⁸ Azami, *On Schacht's Origin of Muhammadan Jurisprudence*, 162–164.

⁴⁹ Muhammad ibn Idris Asy-Syafi'i, *Al-Risalah*, ed. Ahmad Muhammad Syakir (Beirut: Dar al-Fikr, 1309), 431.

⁵⁰ Azami, *Dirāsāt Fī al-Ḥadīṣ al-Nabawī Wa Tārikh Tadwīnih*, 398.

⁵¹ Azami, *On Schacht's Origin of Muhammadan Jurisprudence*, 44; Schacht, *The Origins of Muhammadan Jurisprudence*, 61.

⁵² Azami, *On Schacht's Origin of Muhammadan Jurisprudence*, 44–45.

Sunnah.⁵³ Azami thought that Schacht had failed to explain that the Sunnah was not from the person of the Prophet, as the case for which his view was argued turned to show the Prophet's Sunnah and not a living tradition.⁵⁴ It is as if the Prophet's role in the formation of Islamic law does not exist, because the area of a Prophet's duties is not in the area of law formation, whereas, Azami continued, the authority of the Sunnah is seen in the establishment of the classical fiqh school of thought.⁵⁵

2. Misunderstanding of the "Slander" Incident

To initiate the discussion of sanad, the researcher reveals Azami's view of Caetani's statement that 'Urwah (d. 94 H) was the first to compile hadiths. This hadiths compilation does not use the sanad system.⁵⁶ Even long after the Prophet Muhammad saw died, namely at the time of Abd al-Malik around 70-80 Hijriyah, hadiths reports did not mention sanad. Thus, sanad only existed and was used in the narration of hadiths during 'Urwah and Ibn Ishāq (d. 151 AH). The narration of the hadiths, in that case, is only the delivery of news from one person to another without the system relying on isnād. This conclusion continues on the Caetani view that the sanad system only existed after the second Hijriyah century and it was the creation of the scholars of that century.⁵⁷ In contrast to Horowitz who saw Caetani's views as baseless, according to him, this research did not refer to the actual 'Urwah books. Horowitz has a different conclusion from Caetani. According to him, 'Urwah delivered a hadiths accompanied by its source of sanad. Horowitz finally considered that the use of sanad had existed since the third of the First Hijri century.⁵⁸ A similar view was conveyed by J. Robson (Scotland) who considered that sanad existed since the middle of the first century, even though in a simple form.⁵⁹

Azami examines Schacht's assumption that Ibn Sirin (d. 110 H) said that the acceptance of hadiths before slander occurs does not question the

⁵³ *Ibid.*, 51–68.

⁵⁴ *Ibid.*, 69–109.

⁵⁵ *Ibid.*, 69–101.

⁵⁶ Azami, *Studies In Early Hadith Literature With A Critical Edition of Some Early Teksts*, 213.

⁵⁷ *Ibid.*, 214.

⁵⁸ *Ibid.*, 214–215.

⁵⁹ *Ibid.*, 215.

origin of sanad. After the fitnah occurred, the accuracy regarding the history of the Prophet was tightened. Schacht argues that slander occurred since the killing of al-Wālid ibn Yazīd (d 126 H) before the withdrawal of the Umayyah dynasty,⁶⁰ while Ibn Sirin died in 110 AH. Therefore, this view is incorrect. Azami's criticism on the above view lies in Schacht's mistake in assuming the origin of the slander during al-Wālid's murder. Whereas in Islamic history it is known that slander arose since the dispute between Mu'awiyah and Alī ibn Abī Ṭālib. Although there are other contradictions such as slander between Ibn Zubair and Abd al-Mālik ibn Marwān around 70 AH. It is clear that Schacht's view above is only due to the effectiveness and carelessness of analyzing Islamic history, Azami completes his view.⁶¹

3. The Weaknesses of the *Common Link Theory*

Another interesting Schacht's theory is about the common link. The existence of hadits can be detected from the presence of a commonlink or common transmitter or common narrator.⁶² This liaison narrator is the person who hadits, so the isnād was made by this maker from the previous generation to the Prophet. To illustrate the method above, Schacht mentions a hadits about the ability to eat game meat while doing ihram:⁶³ The editorial of the hadits in question is:

أخبرنا إبراهيم بن محمد ، عن عمرو بن أبي عمرو مولى المطلب ، محمد ه عن عمرو بن أبي عمرو مولى سمط لان لحم الصيد لكم في الإحرام حلال ، ما لم تصيده أو يصاد لكم .
أخبرنا من سمع سليمان بن بلال يحدث ، عن عمرو بن أبي عمرو ، بهذا الإسناد ، عن النبي هكذا . حدثنا الربيع ، أخبرنا الشافعي ، أخبرنا عبد العزيز بن محمد ، عن عمرو بن أبي عمرو ، عن رجل من محمد ، عن عمرو بن أبي عمرو ، عن رجل من بن سلن عن ،

Ibrahim ibn Muḥammad told us from 'Amr ibn Abī' Amr a former slave al-Muṭalib, from al-Muṭalib, from Jābir that the Messenger of Allah said: "meat is halal for you at ihram, as long as you are not hunting or ask to be hunted for you ". Someone told us who heard Sulaimān ibn Bilal, from 'Amr ibn Abī 'Amr through this sanad from the Holy Prophet like that. Al-Rabi' narrated to us, from al-Syafī'i

⁶⁰Schacht, *The Origins of Muhammadan Jurisprudence*, 37.

⁶¹Azami, *Studies In Early Hadith Literature With A Critical Edition of Some Early Teks*, 216.

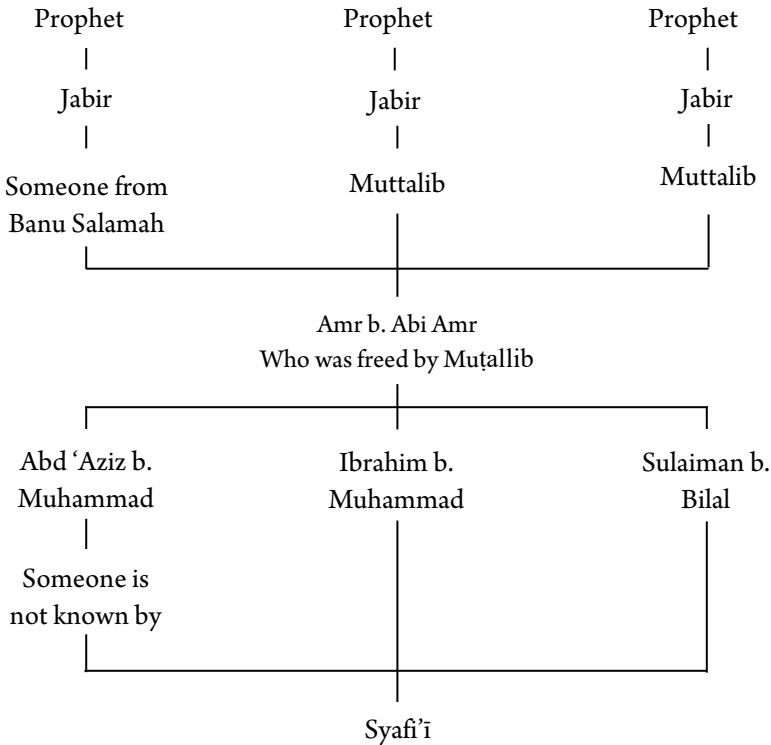
⁶²*Ibid.*, 165–166.

⁶³Asy-Syāfi'i, "Ikhtilāf al-Ḥadīṣ", in Cd Rom, "Al-Maktabah Al-Syamikah" (Beirut: Musthafa al-Babi al-Halabi, 1999), 236.

who told us, where Abd al-'Aziz ibn Muhammad told us, from 'Amr ibn Abi 'Amr from someone from Bani Salamah from Jābir from the Prophet saw so.

According to Schacht's version, the historical path of the hadits can be seen in the form of isnad below:⁶⁴

Figure 1



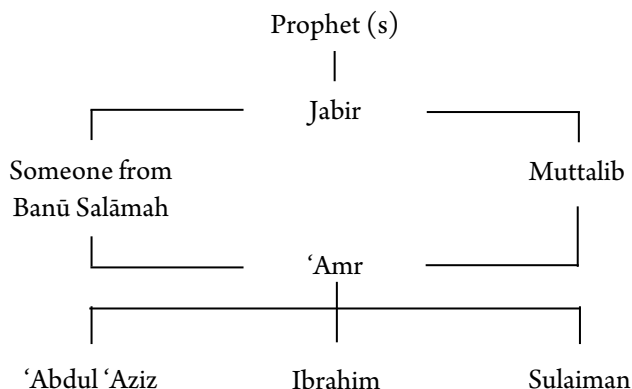
According to Schacht's records, 'Amr ibn Abi' Amr is in the position of a narrator common link. Apart from identifying the origin of the hadits, the liaison figure can also provide information on when the hadits appeared. In other words, it is the liaison who falsifies the hadits. Schacht affirmed, 'Amr, who is claimed to be the author of the hadits, does not hesitate to be between patrons and sources of unknown history (anonymous).⁶⁵

⁶⁴Schacht, *The Origins of Muhammadan Jurisprudence*, 172.

⁶⁵*Ibid.*

According to Azami, the form of the narrative scheme described by Schacht is inequality. A person from Banī Salāmah can be identified based on another narrative line that mentions that person. According to Azami, the form of the narrative scheme described above is incorrect. The actual sequence of narration of the hadits is as follows:

Figure 2

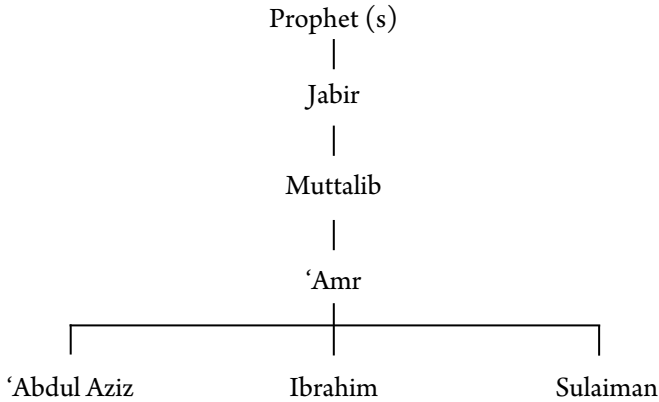


Azami then explained Schacht's mistake in Azami's analyzing each of the disciples claimed that Abdul' Azīz had mistakenly mentioned source 'Amr as someone from Banī Salamah. Abraham has a stronger status than Abdul' Azīz. This claim is supported by the same Solomon in citing the source of the narration of 'Amr, it is based on the description of ash-Syafi'i.⁶⁶ Thus, the correct source of 'Amr's narration is Muttalib, and not someone from Bani Salamah, so the narrative path has only one, and is called *garīb*. So the correct narrative scheme is as follows:⁶⁷

⁶⁶ Al-Syāfi'I menjelaskan: وابن أبي يحيى أحفظ من عبد العزيز ، وسليمان مع ابن أبي يحيى. Lihat Asy-Syāfi'i, "Ikhtilāf al-Ḥadīṣ", 236.

⁶⁷ Azami, *On Schacht's Origin of Muḥammadan Jurisprudence*, 199; Azami, *Studies In Early Hadith Literature With A Critical Edition of Some Early Tekts*, 233–235.

Figure 3



Many more reasons were raised by Azami to refute Schacht's theory of liaison narrators. Although in his notes, Azami did not close himself to the existence of this theory, the implications of it quite influential on the existence of hadits. Schacht claims that it was the liaison narrators who fabricated or faked the hadits. This last point is what makes Azami objected.⁶⁸ Among the implications of this theory is that it denies the journey of searching for hadits (*riḥlah fi ṭalab al-ḥadīṣ*) by various generations. There is information that some scholars hear, while others do not, because their learning period is not always the same. Azami also claims, someone can't ask the scholars who are separated for decades or even centuries of their life, just to support and make *isnād* for the sake of a faked hadits. While their places were far from each other, while at that time the means of transportation were not like today.⁶⁹ For those who assess the possibility of falsification *isnād*, and disagree with Azami, the arguments put forward against Schacht's thesis are judged to be endless arguments.

With the common links presented by Schacht, Azami considers that everything is not objective. This view is based on two terms Schacht used frequently in applying his theory. First, the term common occurrence (common symptoms that usually occur). This term is used when the theory

⁶⁸Azami, *On Schacht's Origin of Muḥammadan Jurisprudence*, 201.

⁶⁹*Ibid.*, 204–205.

is used by expectations, so Schacht includes examples to confirm it.⁷⁰ Second, the term occasionally; This term is used if the data and evidence are contrary or not as expected with the theory developed, then Schacht ends it by concluding that the case sometimes occurs.⁷¹ On this basis, Azami considers Schacht's research to be non-objective. Schacht has frequently claimed hadith scholars have projected their doctrine backward to earlier sources.⁷² Azami assessed that apart from being not objective in his research, Schacht was also inconsistent with the theory and reference sources. Misunderstanding historical facts, and breaking away from understanding the existing context of reality. Also, errors in understanding the method of quoting classical scholars negate the socio-political and geographic conditions of the Arab community. As a result, according to Azami, Schacht's scientific studies and conclusions about the study of hadiths cannot be accepted as true.⁷³

D. Conclusion

The contribution of Joseph Schacht's thoughts on sanad and the narration of hadiths cannot be separated from the shadow of Goldziher's hadiths thought. On the one hand, the significance seems to be, being able to develop a wider study of hadiths, not limited to the origin of the hadiths, but the doubts that have been planted about the authenticity of the hadiths are stronger. However, some of Schacht's views on the terms of the narration of hadiths are not all correct, including the events that took place in the early era of Islam. This is the central point of Azami's criticism. Methodologically,

⁷⁰Schacht states: *The Iraqi opponent repeatedly agrees with Shāfi'i that no one has any authority beside the Prophet... where Shaibāni insists on the decisive role of a decision of the Prophet, shows that the Iraqians had indeed anticipated and explicitly formulated this essential thesis, and applied it occasionally. They are, however, still far from Shāfi'i's unquestioning reliance on traditions from the Prophet alone.* Schacht, *The Origins of Muhammadan Jurisprudence*, 28; another occasion Schacht also states: *The case discussed in the preceding paragraph is not hypothetical but of common occurrence.* Schacht, *The Origins of Muhammadan Jurisprudence*, 172.

⁷¹Azami, *Studies In Early Hadith Literature With A Critical Edition of Some Early Tekts*, 234–235.

⁷²Azami, *On Schacht's Origin of Muhammadan Jurisprudence*, 205; Azami, *Studies In Early Hadith Literature With A Critical Edition of Some Early Tekts*, 235–236.

⁷³Azami, *On Schacht's Origin of Muhammadan Jurisprudence*, 3 and 117–122.

Schacht's scientific work is not entirely scientifically objective. However, criticizing criticism is scientific work, Azami received backlash from Western scholars, seeing Azami's criticism as no different from his predecessors, that criticism is circular in nature, namely around sanad, and hardly touches the observance of the hadiths. []

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