

Criticism of *Sanad* Hadith in DSN-MUI Fatwa No. 115/DSN-MUI/IX/2017 on the Mudharabah Contract

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Abstract

Background. The fatwa of the National Sharia Council–Indonesian Ulema Council (DSN-MUI) serves as a bridge between Islamic legal principles and modern financial practices in Indonesia, including in the regulation of mudharabah contracts through DSN-MUI Fatwa No. 115/DSN-MUI/IX/2017. This fatwa is based on the Qur'an, hadith, and ijtiḥad of scholars as its normative basis. However, the quality of the hadith referred to has not been comprehensively explained, even though its validity is highly dependent on the takhrij process which includes source tracing, analysis of sanad and matan, and determination of the hadith's degree according to the rules of hadith science.

Aim. This study aims to analyze the quality of the hadiths used in DSN-MUI Fatwa No. 115/DSN-MUI/IX/2017 concerning Mudharabah Contracts through the hadith takhrij approach.

Methods. This research is a qualitative study using library research methods. Data sources include the main books of hadith (*kutub al-tis'ah*), books of hadith commentary, and rijal al-hadith literature. The research process is carried out through identification of hadith in fatwas, tracing of narration sources in lafzi and ma'nawi, analysis of the continuity of the sanad (*ittishal al-sanad*), evaluation of the credibility of narrators based on *jarh wa ta'dil*, and assessment of the quality of hadith from the sanad aspect to determine its degree (*sahih*, *hasan*, or *da'if*).

Results. The hadith used in the fatwa does not yet have a completely authentic level. So it is still necessary to search for supporting hadiths of authentic quality.

Keywords: Hadith, Fatwa, National sharia council, Contract, Mudharabah

INTRODUCTION

The growth of the Islamic economy in Indonesia has shown significant progress, characterized by the emergence of Islamic financial institutions and the increasing demand for regulations that comply with Sharia principles.¹ One vital instrument in Islamic financial practice is the *mudharabah* contract, which serves as a collaborative tool between the capital owner (*shahibul mal*) and the business manager (*mudharib*) through a profit-sharing system.² The validity and implementation of this contract are inseparable from the normative foundations derived from the Quran, the hadith of the Prophet Muhammad (peace be upon him), and the ijtiḥad of scholars.³

In Indonesia, the National Sharia Council of the Indonesian Ulema Council (DSN-MUI) plays a crucial role in issuing fatwas that serve as operational guidelines for Islamic financial institutions. The DSN-MUI fatwa's on mudharabah serve not only as practical guidelines but also as a reflection of modern Sharia understanding of the sources of Islamic law. Therefore, the validity of the arguments

¹ Ascarya, *Akad dan Produk Bank Syariah*, (Jakarta: Rajawali Pers, 2015), p. 1–3.

² Wahbah al-Zuhayli, *Al-Fiqh al-Islāmī wa Adillatuh* (Damaskus: Dār al-Fikr, 1985), Juz V, p. 183–185.

³ Muhammad Syafi'i Antonio, *Bank Syariah: Dari Teori ke Praktik* (Jakarta: Gema Insani, 2001), p. 90–



used, particularly the hadith of the Prophet (peace be upon him), is a crucial aspect that requires scientific analysis.

The hadiths used as the basis for the DSN-MUI fatwa on mudharabah are often cited without a detailed explanation of the quality and status of their transmission. The validity of a hadith in hadith studies depends on the *takhrij* of the hadith, which includes tracing the source, *sanad* (chain of transmission), and *matn* (transmitter), as well as assessing its quality based on the principles of hadith science.⁴ Without adequate *takhrij* analysis, the use of hadith as a legal basis can risk raising academic and normative issues.

Based on these aspects, this study aims to analyze the hadiths used in DSN Fatwa No. 115-DSNMUI-IX-2017 on the *Mudharabah* Contract using a *takhrij* approach. This research is expected to provide a deeper understanding of the quality of these hadiths and their relevance as a legal basis for the implementation of contemporary Islamic economics. Furthermore, this study is expected to help strengthen the methodology for issuing sharia fatwas based on more precise and scientifically responsible hadith research. Based on the research background, the formulation of the problem in this study is as follows: How is the quality of the hadiths in Fatwa DSN-115-DSNMUI-IX-2017-2017 on the Mudharabah Contract as a legal basis in determining the DSN-MUI fatwa on the *mudharabah* contract? The purpose of this study is to identify, conduct *takhrij* of the hadiths through *sanad* analysis based on the rules of hadith science.

The novelty of this study lies in the systematic study of *takhrij* of the hadiths on the hadiths that are used as the basis for Fatwa DSN No.115-DSNMUI-IX-2017 on the *Mudharabah* Contract. In contrast to previous studies that generally examine *mudharabah* from the perspective of muamalah fiqh or normative analysis of fatwas, this study specifically focuses on tracing the sources of hadith, *sanad* analysis, and assessing the quality of hadith as a legal basis for fatwas.

METHOD

This research is a qualitative study using a hadith study approach. The method employed is library research, where written sources serve as the primary data. The primary data source is DSN Fatwa No. 115-DSNMUI-IX-2017 concerning the Mudharabah Contract. Secondary data sources include primary hadith books (*kutub al-tis'ah*), books explaining hadith, books on rijal al-hadith, and scientific literature related to *takhrij* studies. Data were obtained through identifying and collecting hadith contained in the DSN-MUI fatwa concerning the mudharabah contract. Furthermore, a search for hadith sources was conducted through the *takhrij* process, both in lafzi and ma'nawi, to identify the sources of the hadith in the hadith books.

Data analysis was conducted through several steps. First, the *sanad* analysis of the hadith is conducted by evaluating the continuity of the *sanad* (*ittishal al-sanad*), the reliability of the narrators through the study of jarh wa ta'dil (translation), and the potential for weaknesses in the *sanad*. Second, the quality of the hadith is assessed based on the *sanad* analysis to determine whether the hadith is sahih, hasan, or *da'if* (authentic). The results of the analysis are then linked to the use of the hadith in the DSN-MUI fatwa to assess the strength of the hadith as a legal basis for issuing fatwas on mudharabah contracts.

RESULTS AND DISCUSSION

In DSN Fatwa No.115-DSNMUI-IX-2017 concerning Mudharabah Agreements there are several hadiths including:

Hadith of the Prophet narrated by Thabrani from Ibn Abbas

كَانَ سَيِّدُنَا الْعَبَّاسُ بْنُ عَبْدِ الْمُطَّلِبِ إِذَا دَفَعَ مَالًا مُضَارَبَةً اشْتَرَطَ عَلَى صَاحِبِهِ: إِنْ لَا يَسْلُكُ بِهِ بَحْرًا، وَلَا يُنْزِلُ بِهِ وَاذِيَاءَ، وَلَا يَشْتَرِي بِهِ دَابَّةَ ذَاتِ كَبِدٍ رَطْبِيَّةً، فَإِنْ فَعَلَ ذَلِكَ ضَمِنَ، فَبَلَغَ شَرْطَهُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَآلِهِ فَأَجَّازَهُ.

⁴ Mahmud al-Ṭahḥān, *Uṣūl al-Takhrij wa Dirāsāt al-Asānīd* (Riyadh: Maktabah al-Ma'ārif, 1991), p. 9–15.

have been found at *al-Mu'jam al-Ausath li at-Tabrani*.⁵

760 - حَدَّثَنَا أَحْمَدُ بْنُ يُسَيْرٍ قَالَ: نَا مُحَمَّدُ بْنُ عُقْبَةَ السَّدُوسِيُّ قَالَ: نَا يُونُسُ بْنُ أَرْقَمَ، عَنِ أَبِي الْجَارُودِ، عَنْ حَبِيبِ بْنِ يَسَارٍ، عَنِ ابْنِ عَبَّاسٍ قَالَ: كَانَ الْعَبَّاسُ بْنُ عَبْدِ الْمُطَّلِبِ «إِذَا دَفَعَ مَالًا مُضَارَبَةً اشْتَرَطَ عَلَى صَاحِبِهِ: لَا يَسْلُكُ بِهِ بَحْرًا، وَلَا يَنْزِلُ بِهِ وَادِيًا، وَلَا يَشْتَرِي بِهِ ذَاتَ كَبِدٍ رَطْبَةً، فَإِنْ فَعَلَ فَهُوَ ضَامِنٌ، فَرَفَعَ شَرْطَهُ إِلَى رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، فَأَجَّازَهُ»
لَا يُرَوَى هَذَا الْحَدِيثُ عَنِ ابْنِ عَبَّاسٍ إِلَّا بِهَذَا الْإِسْنَادِ. تَفَرَّدَ بِهِ: مُحَمَّدُ بْنُ عُقْبَةَ

“From Ibn Abbas: That ‘Abbas ibn ‘Abd al-Muttalib, when handing over property as mudharabah, stipulated that his mudharib should not sail the seas or descend valleys, and should not buy livestock. If these conditions were violated, he (the mudharib) would bear the risk. When the Prophet (peace be upon him) heard about these conditions stipulated by ‘Abbas, he confirmed them.”

Narrator research:

a. أَحْمَدُ بْنُ يُسَيْرٍ⁶

Full name : Ahmad ibn Busyair al-Qursyi al-Makhzumi Abu Bakr al-Kufi.
Residence : Baghdad
Died : 197 H
Teacher's name : Ismail ibn Abu Khalid,
Sulaiman ibn Mahran al-A'mas,
Abdullah ibn Syabarmah, etc.
Student's name : Ibrahim ibn Abdullah
Ahmad ibn Tariq
Yahya ibn Sulaiman, etc.
Quality of narrator : According to al-Dauri: laisa bi hadithihi ba'sun
According to Ali ibn al-Husayn: lam yakun bihi ba'sun
According to Abu al-Abbas: shoduq
According to Abu Hatim: mahalluhu al-siddq
According to al-Nasa'i: laisa bi dzalika al-qawi
According to al-Daruqutni: daif

b. مُحَمَّدُ بْنُ عُقْبَةَ السَّدُوسِيُّ⁷

Full name : Muhammad ibn Uqbah ibn Haram al-Sadusi Abu Abdullah al-Bashori
Teacher's name : Yunus ibn Arqam
Ayyub ibn Muhammad al-Sukri
Dawud ibn Abd al-Jabbar al-Kufi, etc.
Student's name : Ahmad ibn Busyair
Abdullah ibn Shaqr al-Sukri
Muhammad ibn Ayyub, etc.
Quality of narrator : According to Abdurrahman ibn Abi Khotim : dhaif al-hadits
According to Ibnu Hibban : tsiqah
Abu Zur'ah left a hadith from him

c. يُونُسُ بْنُ أَرْقَمَ⁸

Full name : Yunus ibn Arqam Abu Arqam al-Kindi
Residence : Bashrah

⁵ Abu al-Qasim Sulaiman ibn Ahmad At-Tabrani, *al-Mu'jam al-Ausath li at-Tabrani* (Kairo: Dar al-haramain, 1415H), vol.1 p.231

⁶ Yusuf ibn az-Zakki Abdurrahman Abu al-Hajjaj al-Mazi, *Tahdzib al-Kamal* (Beirut: Muassalah al-Risalah, 1400H), vol. 1, p. 273-276.

⁷ Yusuf ibn az-Zakki Abdurrahman Abu al-Hajjaj al-Mazi, *Tahdzib al-Kamal* (Beirut: Muassalah al-Risalah, 1400H), vol. 26, p. 124-126

⁸ Muhammad ibn Hibban ibn Ahmad Abu Hatim at-Tamimi al-Busti, *ats-Tsiqah* (tt: Dar -al-Fikr, 1395), vol. 9, p. 287-288

- Died : 138 H
Teacher's name : Yazid ibn Abi Ziyad,
Student's name : Muhammad ibn Aqobah
Quality of narrator : According to al-Nasa'i: tsiqah
According to ibn Hibban: tsiqah
- d. **أَبِي الْجَارُودِ**⁹
Full name : Ziyad ibn al-Mundzir al-Hamdani, al-Hindi, al-Tsaqafi Abu al-Jarudi al-A'ma
Died : between 150 – 160 H
Teacher's name : Habib ibn Yasar
Al-Hasan al-Bashari
Abu Ja'far Muhammad ibn Ali, etc.
Student's name : Yunus ibn Arqam
Ismail ibn Abban
Abdurrahim ibn Sulaiman, etc
Quality of narrator : According to an-Nasa'i: matruk
According to Abu Hatim: dhaif
- e. **حَبِيبُ بْنُ يَسَّارٍ**¹⁰
Full name : Habib ibn Yasar al-Kindi al-Kufi
Died : 101 H
Teacher's name : Abdullah ibn Abbas
Zaid ibn Arqam
Abdullah ibn Abu Aufi, etc.
Student's name : Abu al-Jarud
Zakaria ibn Yahya al-Kindi
Yusuf ibn Suhaib, etc
Quality of narrator : According to Abu Zur'ah: tsiqah
According to ibn Hajar: tsiqah
- f. **ابْنُ عَبَّاسٍ**¹¹
Full name : 'Abdullah ibn 'Abbas ibn 'Abd al-Muthallib Al-Qursy al-Hasyimi
Died : 68 H
Quality of narrator : He was a friend of the Messenger of Allah and all friends were just narrators ('adil)

Hadith of the Prophet narrated by Ibnu Majah from Shuhaib

حدثنا الحسن بن علي الخلال . حدثنا بشر بن ثابت الزار . حدثنا نصر بن القاسم عن عبد الرحمن (عبد الرحيم) بن داود عن صالح بن صهيب عن أبيه قال قال رسول الله صلى الله عليه وسلم : (ثلاث فيهن البركة . البيع إلى أجل والمقارضة وأخلط البر بالشعير للبيت للبيع)¹²

The Prophet Muhammad said: "There are three things that contain blessings: buying and selling without cash, muqaradhah (mudharabah), and mixing wheat with millet for household needs, not for sale."

⁹ Yusuf ibn az-Zakki Abdurrahman Abu al-Hajjaj al-Mazi, *Tahdzib al-Kamal* (Beirut: Muassalah al-Risalah, 1400H), Vol.9, p.517-519

¹⁰ Yusuf ibn az-Zakki Abdurrahman Abu al-Hajjaj al-Mazi, *Tahdzib al-Kamal* (Beirut: Muassalah al-Risalah, 1400H), Vol.5, p.405-407

¹¹ Yusuf ibn az-Zakki Abdurrahman Abu al-Hajjaj al-Mazi, *Tahdzib al-Kamal* (Beirut: Muassalah al-Risalah, 1400H), vol. 15, p. 154-162

¹² Abu Abdillah Muhammad ibn Yazid ibn Majah al-Quzwaini, *Sunan Ibnu Majah* (Beirut: Dar al-Fikr,tt), Vol. 2, p.768

Narrator research:

- a. ¹³ الحسن بن علي الخلال
 Full name : Al-Hasan ibn Ali ibn Muhammad al-Hadzli al-Khalal Abu Ali
 Died : 142 H in Mekah
 Teacher's name : Basyar ibn Tsabit
 Ibrahim ibn Khalid
 Ja'far ibn 'Aun, etc
 Student's name : al-Jama'ah besides al-Nasa'i
 Ibrahim ibn Ishaq
 Ahmad ibn Ali, etc.
 Quality of narrator : According to Ya'qub ibn Syaibah: tsiqah, tsubut, mutqinan.
 According to al-Nasa'i: tsiqah
- b. ¹⁴ بشر بن ثابت البزار
 Full name : Basyar ibn Tsabit al-Bashari Abu Muhammad al-Bazzar
 Teacher's name : Nashr ibn al-Qasim
 Hasan ibn Muslim
 Syu'bah ibn al-Hajjaj, etc.
 Student's name : Al-Hasan ibn Ali al-Khalal
 Abu Dawud Sulaiman
 Abdullah ibn Abdurrahman al-Darimi, etc.
 Quality of narrator : Abu Hatim ibnu Hibban: fi tsiqah
- c. ¹⁵ نصر بن القاسم
 Full name : Nashr ibn al-Qasim
 Teacher's name : Abdurrahim ibn Dawud
 Muhammad ibn Ishaq
 Muhammad ibn Ismail, etc
 Student's name : Basyar ibn Tsabit
 Quality of narrator : in his statement, According to al-Bukhari, the hadiths is Hadiths Maudhu'
- d. ¹⁶ عبد الرحمن (عبد الرحيم) بن داود
 Full name : Abdurrahman ibn Dawud atau Abdurrahim ibn Dawud
 Teacher's name : Shalih ibn Shuhaib
 Student's name : Nashr ibn al-Qasim
 Quality of narrator : According to Abu Ja'far al-'Uqaili: majhul
 There are no other hadiths narrated apart from this hadith.
- e. ¹⁷ صالح بن صهيب
 Full name : Shalih ibn Shuhaib ibn Sinan al-Rumi
 Teacher's name : Shuhaib ibn Sinan
 Student's name : Abdurrahman ibn Dawud
 Quality of narrator : There is no opinion yet to judge him.
- f. ¹⁸ صهيب بن سنان

¹³ Yusuf ibn az-Zakki Abdurrahman Abu al-Hajjaj al-Mazi, *Tahdzib al-Kamal* (Beirut: Muassalah al-Risalah, 1400H), Vol. 6 p. 259-263

¹⁴ Yusuf ibn az-Zakki Abdurrahman Abu al-Hajjaj al-Mazi, *Tahdzib al-Kamal* (Beirut: Muassalah al-Risalah, 1400H), Vol. 4, p. 97-99

¹⁵ Yusuf ibn az-Zakki Abdurrahman Abu al-Hajjaj al-Mazi, *Tahdzib al-Kamal* (Beirut: Muassalah al-Risalah, 1400H), Vol. 29, p. 365

¹⁶ Yusuf ibn az-Zakki Abdurrahman Abu al-Hajjaj al-Mazi, *Tahdzib al-Kamal* (Beirut: Muassalah al-Risalah, 1400H), Vol. 18, p. 33

¹⁷ Yusuf ibn az-Zakki Abdurrahman Abu al-Hajjaj al-Mazi, *Tahdzib al-Kamal* (Beirut: Muassalah al-Risalah, 1400H), Vol. 13, p. 61

¹⁸ Yusuf ibn az-Zakki Abdurrahman Abu al-Hajjaj al-Mazi, *Tahdzib al-Kamal* (Beirut: Muassalah al-Risalah, 1400H), Vol. 13, p. 237-239

Full name : Shuhaib ibn Sinan ibn Khalid ibn 'Amr
Student's name : Shalih ibn Shuhaib
Quality of narrator : He was a friend of the Messenger of Allah and all friends were just narrators ('adil)

Hadith of the Prophet narrated al-Tirmidzi from 'Amr ibn 'Auf al-Muzani, and narated al-Hakim from Katsir ibn Abdillah ibn Amr ibn Auf, this hadith found *al-Jami' al-Shahih Sunan al-Turmudzi*¹⁹

1352 - حدثنا الحسن بن علي الخلال حدثنا أبو عامر العقدي حدثنا كثير بن عبد الله بن عمرو بن عوف المزني عن أبيه عن جده : أن رسول الله صلى الله عليه وسلم قال الصلح جائز بين المسلمين إلا صلحا حرم حلالا أو أحل حراما والمسلمون على شروطهم إلا شرطا حرم حلالا أو حل حراما قال أبو عيسى هذا حديث حسن صحيح

The Prophet said: "Shulh (settlement of disputes through deliberation to reach a consensus) may be carried out among Muslims except for shulh which forbid what is halal or make lawful which is haram, and Muslims are bound by their conditions except conditions which prohibit what is halal or make lawful what is haram."

Narrator research:

a. ²⁰ الحسن بن علي الخلال

Full name : Al-Hasan ibn Ali ibn Muhammad al-Hadzli al-Khalal Abu Ali
Died : 142 H in Mekah
Teacher's name : Abu 'Amir al-Aqdi
Ibrahim ibn Khalid
Ja'far ibn 'Aun, etc
Student's name : al-Jama'ah selain al-Nasa'i
Ibrahim ibn Ishaq
Ahmad ibn Ali, etc.
Quality of narrator : According to Ya'qub ibn Syaibah: tsiqah, tsubut, mutqinan.
: According to al-Nasa'i: tsiqah

b. ²¹ أبو عامر العقدي

Full name : Abd al-Malik ibn 'Amr al-'Aqadi al-Bashari
Died : 204 H
Teacher's name : Katsir ibn Abdullah
Isa ibn Hafsh
Ibrahim ibn Ismail, etc
Student's name : al-Hasan ibn 'Ali
Ishaq ibn Mashur
Sulaiman ibn Ubaidillah, etc
Quality of narrator : According to Ishaq al-Rawahiyah: tsiqah al-amin

c. ²² كثير بن عبد الله

Full name : Katsir ibn abdillah ibn 'Amr ibn 'Auf ibn Zaid ibn Malhah al-Mazani al-Madani
Teacher's name : Abdullah ibn 'Amr
Bakar ibn Abdurrahman

¹⁹ Abu 'Isa Muhammad ibn 'Isa ibn Saurah al-Turmudzi, *al-Jami' al-Shahih Sunan al-Turmudzi* (Beirut: Dar ikhya' al-Turats al-'Arabi, tt), vol. 3, p. 634

²⁰ Yusuf ibn az-Zakki Abdurrahman Abu al-Hajjaj al-Mazi, *Tahdzib al-Kamal* (Beirut: Muassalah al-Risalah, 1400H), Vol. 6, p. 259-263

²¹ Yusuf ibn az-Zakki Abdurrahman Abu al-Hajjaj al-Mazi, *Tahdzib al-Kamal* (Beirut: Muassalah al-Risalah, 1400H), Vol. 18, p. 364-369

²² Yusuf ibn az-Zakki Abdurrahman Abu al-Hajjaj al-Mazi, *Tahdzib al-Kamal* (Beirut: Muassalah al-Risalah, 1400H), Vol. 24, p. 136-139

- Muhammad ibn Ka'ab
Student's name : Abu 'Amir Abdul Malik Ibrahim ibn Ali
Abdullah ibn Maslamah
Ibrahim ibn Ali, etc.
Quality of narrator : According to 'Abbad al-Duwari : dhaif al-hadits
According to Ahmad ibn Hanbal : munkar al-hadits
- d. ²³ عبد الله بن عمرو
Full name : 'Abdullah ibn 'Amr ibn 'Auf ibn Zaid ibn Malhah al-Mazani al-Madani
Teacher's name : 'Amr ibn 'Auf
Some Friends of the Messenger of Allah
Student's name : Katsir ibn abdillah
Quality of narrator : According to ibn Hibban : tsiqah
- e. ²⁴ عمرو بن عوف
Full name : 'Amr ibn 'Auf ibn Zaid ibn Malhah ibn 'Amr ibn Bakar ibn Afrik ibn
'Utsman ibn 'Amr ibn Ad ibn Thabikhah Abu 'Abdullah al-Mazani
Quality of narrator : He was a friend of the Messenger of Allah and all friends were just narrators ('adil)

Hadith of the Prophet narrated Ibnu Majah dari Ubadah ibn Al-Shamit ra., narrated Ahmad ibn Abbas ra., narrated Malik dari ayahnya Yahya al-Mazini and narrated al-Hakim and al-Daruqutni from Abu Said al-Qudri ra

2340 - حدثنا عبد ربه بن خالد النميري أبو المغلس . ثنا فضيل بن سليمان . ثنا موسى بن عقبة . ثنا إسحاق بن يحيى بن الوليد عن عبادة بن الصامت أن رسول الله قضى أن: (لا ضرر ولا ضرار)²⁵

The Prophet said: "You must not harm/harm other people and you must not repay harm (losses caused by others) with harm (acts that harm them)."

Narrator research:

- a. ²⁶ عبد ربه بن خالد النميري أبو المغلس
Full name : 'Abd Rabbah ibn Khalid ibn 'Abd al-Malik ibn Qadamah al-Namiri Abu al-Mughlish al-Bashari
Teacher's name : Khalid ibn 'Abd al-Malik
Fudhail ibn Sulaiman
Yahya ibn Hasyim al-Samsari
Student's name : Ibnu Majah
Abu Bakar Ahmad
Abu al-Fadhl Ja'far ibn Ahmad, etc
Quality of narrator : According to ibn Hibban : tsiqah
- b. ²⁷ فضيل بن سليمان
Full name : Fudhail ibn Sulaiman al-Namiri Abu Sulaiman al-Bashari
Died : 186 H
Teacher's name : Musa ibn Uqbah
Ibrahim ibn Thahaman
Abu Malik Sa'ad, etc

²³ Yusuf ibn az-Zakki Abdurrahman Abu al-Hajjaj al-Mazi, *Tahdzib al-Kamal* (Beirut: Muassalah al-Risalah, 1400H), Vol. 15, p. 367

²⁴ Yusuf ibn az-Zakki Abdurrahman Abu al-Hajjaj al-Mazi, *Tahdzib al-Kamal* (Beirut: Muassalah al-Risalah, 1400H), Vol. 22, p. 173

²⁵ Abu Abdillah Muhammad ibn Yazid ibn Majah al-Quzwaini, *Sunan Ibnu Majah* (Beirut: Dar al-Fikr,tt), Vol. 2, p.784

²⁶ Yusuf ibn az-Zakki Abdurrahman Abu al-Hajjaj al-Mazi, *Tahdzib al-Kamal* (Beirut: Muassalah al-Risalah, 1400H), Vol. 16, p. 475

²⁷ Yusuf ibn az-Zakki Abdurrahman Abu al-Hajjaj al-Mazi, *Tahdzib al-Kamal* (Beirut: Muassalah al-Risalah, 1400H), Vol. 23, p. 271-274

- Student's name : 'Abd Rabbah ibn Khalid
Ahmad ibn Abadah
Isma'il ibn Mas'ud, etc
- Quality of narrator : According to Abu Hatim: laitsa bi qawi
According to Al-Nasa'i: laitsa bi qawi
- a. موسى بن عقبه²⁸
- Full name : Musa ibn 'Uqbah ibn Abi 'Iyas al-Qursyi al-Asadi al-Mathrafi Abu Muhammad al-Madani
- Died : 141 H
- Residence : Madinah
- Teacher's name : Ishaq ibn Yahya
Isma'il ibn Mas'ud
Hamzah ibn 'Abd Allah, etc
- Student's name : Fuhdail ibn Sulaiman
Abu Ishaq Ibrahim
Sulaiman ibn Bilal, etc
- Quality of narrator : According to al-Nasa'i: shalih
According to Abu Hatim: shalih
- b. إسحاق بن يحيى بن الوليد²⁹
- Full name : Ishaq ibn Yahya ibn al-Walid ibn 'Ubadah ibn al-Shamit al-Anshari
- Died : 131 H
- Teacher's name : Ubadah ibn al-Shamit
- Student's name : Musa ibn 'Uqbah
- Quality of narrator : According to Ibn Hibban: tsiqah
- c. عبادة بن الصامت³⁰
- Full name : 'Ubadah ibn al-Shamit ibn Qais ibn Ashram ibn Fahr ibn Qais ibn Tsa'labah ibn Ghanam ibn Salim ibn 'Auf ibn 'Amr ibn 'Auf ibn Khazraj al-Anshari al-Khazraji Abu Walid al-Madani
- Died : 45 H
- Student's name : Ishaq ibn Yahya
Anas ibn Malik
Jabir ibn 'Abd Allah
- Quality of narrator : He was a friend of the Messenger of Allah and all friends were just narrators ('adil)

Hadith Analysis

A hadith can be said to be authentic if it meets several conditions, namely: First, *sanad* continues. What is meant by continuous *sanad* is that each narrator in the hadith *sanad* receives a hadith history from the closest previous narrator. This situation continues until the end of the *sanad* of the hadith.³¹ Second, fair narrator. Fair has more than one meaning, both in terms of language and terms. Linguistically, the word fair means fairness (*al-'ida*), middle (*al-i'tidal*), straight (*al-istiqamah*) leaning towards the truth (*al-mayl ila al-haq*), a person who is fair is called *al-'adil*.³² The requirements that can be stipulated as elements of the minor rules of a fair transmitter are being Muslim, being Muslim, carrying out religious provisions, and maintaining *murū'ah*.³³ Third, habitual narrator. According to Ibn

²⁸ Yusuf ibn az-Zakki Abdurrahman Abu al-Hajjaj al-Mazi, *Tahdzib al-Kamal* (Beirut: Muassalah al-Risalah, 1400H), Vol. 29, p. 115-121

²⁹ Yusuf ibn az-Zakki Abdurrahman Abu al-Hajjaj al-Mazi, *Tahdzib al-Kamal* (Beirut: Muassalah al-Risalah, 1400H), Vol. 2, p. 493-494

³⁰ Yusuf ibn az-Zakki Abdurrahman Abu al-Hajjaj al-Mazi, *Tahdzib al-Kamal* (Beirut: Muassalah al-Risalah, 1400H), Vol. 14, p. 183-189

³¹ Muhammad al-Shabbagh, *al-Hadis al-Nabawi* (ttp: al-Maktab al-Islami, 1392H), p. 162

³² Luwis Ma'luf, *al-Munjid fi al-Lughah* (Beirut: Dar al-Masyriq, 1873), p. 491-491

³³ M. Suhudi Ismail, *Kaidah kesahihan sanad hadis* (Jakarta: Bulan Bintang, 1995), p. 134

Hajar al-'Asqalani, a habitual person is someone who has a strong grasp of what he hears by heart and is able to convey his memorization whenever he wants.³⁴ Fourth, avoid *syudzudz*; According to al-Syafi'iy, a hadith is not declared to contain *syudzudz*, if the hadith is only narrated by a tsiqah narrator, while other tsiqah narrators do not narrate the hadith.³⁵ Fifth, avoid *illat*. According to Ibn Shalah and al-Nawawi, *illat* is a hidden cause that damages the quality of hadith. Its existence causes hadiths which at their birth appear to have authentic quality to become inauthentic (*shahih*).³⁶

First hadith. This hadith was narrated from Ahmad ibn Busyair from Muhammad ibn 'Uqbah from Yunus ibn Arqam from Ziyad ibn al-Mundzir from Habib ibn Yasar from friend ibn Abbas. After searching the *jarh wa ta'dil*, it was found that the narrator named Muhammad ibn 'Uqbah was a poor narrator and Abu al-Jarud (Ziyad ibn al-Mundzir) was a weak narrator. This series of hadith *sanads* does not meet the requirements for the validity of a hadith, so the above hadith is a *dhaif*.

Second hadith. This hadith was narrated from al-Hasan ibn 'Ali from Basyar ibn Thabit from Nashr ibn Qasim from Abd 'al-Rahman ibn Dawud from Salih ibn Shuhaib from Shuhaib ibn Sinan. After conducting a thorough investigation, it was discovered that the hadith from Nasr ibn al-Qasim is a *maudhu'* (faithful) hadith. Abdurrahman ibn Dawud or Abdurrahim ibn Dawud is a *majhul* (invalid) narrator. The chain of transmission of this hadith does not meet the requirements for authenticity, and therefore, it is considered weak (*dhaif*).

Third Hadith. This hadith is narrated by al-Hasan ibn 'Ali from Abd al-Malik ibn 'Amr al-'Aqadi from Kathir ibn 'Abd Allah from 'Abd Allah ibn 'Amr from 'Amr ibn 'Auf. After conducting a thorough investigation, it was discovered that Kathir ibn 'Abdillah is a weak and munkar (invalid) narrator. The chain of transmission of this hadith does not meet the requirements for authenticity, and therefore, it is considered weak (*dhaif*).

The fourth hadith. This hadith is narrated by 'Abd Rabbah ibn Khalid from Fudhail ibn Sulaiman al-Namiri from Musa ibn 'Uqbah ibn Abi 'Iyas from Ishaq ibn Yahya ibn al-Walid from 'Ubadah ibn al-Shamit ibn Qais. After conducting a thorough investigation, it was found that all the narrators of this hadith are authentic, except for Fudhail ibn Sulaiman al-Namiri, who is a less powerful but not a weak narrator. Therefore, this hadith is *hasan*.

CONCLUSION

Based on the results of *takhrij* and *jarh wa ta'dil* analysis of the four hadiths studied, it can be concluded that the majority of the histories studied do not meet the criteria for authentic hadiths from the aspect of the narrator's credibility. The first hadith is considered weak because there are two problematic narrators, namely Muhammad ibn 'Uqbah and Abu al-Jarud (Ziyad ibn al-Mundzir), who in *jarh wa ta'dil* literature are categorized as weak narrators. The existence of *dhaif* narrators in the *sanad* causes the hadith to not meet the standards of justice. The second hadith has a more significant weakness. Apart from the presence of a *majhul* narrator (Abdurrahman/Abdurrahim ibn Dawud), the history of Nasr ibn al-Qasim is considered *maudhu'*. The presence of these elements in the *sanad* makes this hadith methodologically rejected and cannot be used as evidence.

The third hadith is also classified as weak because its chain of transmission includes Kathir ibn 'Abd Allah, whom scholars consider a weak or even *munkar* narrator. This weakness directly impacts the validity of the chain of transmission. The fourth hadith is the only narration that is relatively stronger than the previous three, although Fudhail ibn Sulaiman al-Namiri is considered less strong in terms of memorization. Therefore, the chain of transmission of this hadith remains *hasan* because all other narrators are of sound quality and have no serious defects (*'illah*).

Overall, of the four hadith analyzed, three were weak and one was *hasan*. This finding indicates that the normative basis of the hadith in this analysis is not entirely based on authentic narration. Therefore, efforts are needed to find stronger supporting narrations (*shawahid* and *mutaba'at*) or other hadith with a degree of authenticity to strengthen the legitimacy of the legal *istinbath* built upon it.

³⁴ Ahmad ibn 'Ali ibn Hajar Al-Asqalani, *Nuz hat al-Nazhar* (maktabah al-munawarah), p. 13

³⁵ Ibnu Shalah, *Ulum al-Hadits* (Madinah: al-Maktabah al-Ilmiyah, 1972), p. 48

³⁶ Ibnu Shalah, *Ulum al-Hadits* (Madinah: al-Maktabah al-Ilmiyah, 1972), p. 81

Recommendations for future research could focus on: Analysis of the matan (internal criticism of the text) to identify possible *syudzudz* or hidden *'illah*; Comparative studies between the hadith used in the fatwa and other narrations in *kutub al-tis'ah*; Evaluation of the legal implications if the hadith basis is deemed invalid for the overall construction of the *fatwa*.

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