

# NAHWU AL FIQH AL JADID: CONTROVERSY SURROUNDING JAMAL AL BANNA'S THOUGHT ABOUT HADITH NARRATED BY THE COMPANIONS OF THE PROPHET

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**Abstract:** Jamal Al-Banna, the 20<sup>th</sup> century reformist and thinker, in his book *Nahwu al-Fiqh al-Jadid*, outlines ideas about new Islamic jurisprudence, especially about the collection of *hadith*, which he considers to be fabricated *hadith* because it contained the sayings or interpretations of the companions, not the sayings of the Prophet. Al-Banna offers an alternative to the *hadith* and *sunnah*, in line with the Qur'an, not according to the companions' narration. This study utilized a qualitative research design, with data collected through library and desk research. The primary source was Al-Banna's *Nahwu al-Fiqh al-Jadid*, the *hadiths* and the *sunnah*, while the secondary material comprised books and critical commentaries of religious scriptures. The study found out that Al-Banna vouches for a new Islamic jurisprudence that believes in the Qur'an but rejects the *tafsir* (exegesis of the Quran) because, they were a kind of deviation from the Quran. Al-Banna's new Fiqh paid attention to the *sunnah*, and rejected many fabricated *hadiths* originating from companions' words, not the Prophet Muhammad's words. He recommends to initiate a new perspective on the *sunnah*, using the Qur'an paradigm, not the *hadith* narrators' paradigm. There are implications of these revelations as *Hadith* experts criticized Al-Banna's ideas as they thought his narration of the companions was not justified and that caused much controversy. However, Jamal Al-Banna's new version of Islamic jurisprudence has a vision and mission to advance the ummah based on the criteria of the Qur'an and *Sunnah*, only the words of the Prophet, both of which must be able to answer current problems and must be able to interact with contemporary dynamics.

**Keywords:** *Nahwu al Fiqh al Jadid*, Jamal al-Banna, *Hadith*, prophet's companions.

## 1. INTRODUCTION

There is a general perception that *sunnah* and *hadith* have the same meaning since people understand that both talk about the words, deeds, or the path

approved upon by the Prophet; hence, those who do not follow this path of the Prophet are not considered his community (Idri, 2021; Speight, 1970). The prophet's followers significantly noticed this but they did not equate the position of *sunnah* and *hadith* with the Qur'an, which has the most basic framework and rules in Islamic teachings. However, in the development of *sunnah* into *hadith*, according to Al Banna (2001), *sunnah* seems to take over the Qur'an due to many reasons. First, this is due to the subjective assessment, namely the role of companions who spread the news about the Prophet having an impact on providing opportunities for the emergence of fabricated *hadiths* that get less attention from experts. Secondly, the assessment of fundamental objectivity, namely the enemies of Islam such as the Jews and the hypocrites, who think the Qur'an is just the story of the past. Thirdly, there is a group of pious people who fabricated *hadith* and campaigned for the certain surahs' primacy in the Qur'an. Fourthly, when Islam had vastly spread, and many challenges were being faced, it caused a stream of *hadith* fabricator. As it is known that the Qur'an mainly stipulated issues in general manner and the details were left behind, this was where the *hadith* hunting had become a new job. Fifthly: the political factor and power struggle multiplied the existence of fabricated *hadiths*, which sprang up around the caliphate, because each party backed its legitimacy by fabricating *hadith*. This development was relatively rapid. Last, but not the least, Islam had attracted many new converts beyond Arabian Peninsula, which impacted certain *hadiths* which could not be appropriately understood; therefore, many fabricated *hadiths* appeared (Speight, 1970).

In the middle of the second century Hijri, many fabricated *hadiths* had begun to spread, and included into the collection of *sahih* (sound) *hadith*. From here, the work of *hadith* scholars becomes tougher. They started to make fabricated *hadiths* a discussion in the *hadith* collection as a warning about its existence as done by Ahmad bin Hanbal in his Musnad (Lucas, 2006). It seems that the struggle of *hadith* scholars in order to straighten the narration to its foundation, so that it can formulate *hadith* criteria into *sahih* (sound), *hasan* (good) and *dhaif* (weak), where the main problem lies in the wide practice of deviation of the narration, and this is a *hadith* problem that does not end until now, even in every generation of studies this problem remain a big issue.

Many think that the problem of *hadith* writing began at the beginning of the second century of Hijri, where the writing of *hadith* started since the time of the Prophet, despite the prohibition. However, it was only temporary so as not to be mixed with the Quran as the primary sources of Islamic law. Many of the companions forbade the writing of *hadith* because of this. However, in the end,

many *hadith* madrasas emerged; from here, the fabricated *hadiths* emerged, became strong, and became the basis of Islamic law. Quantitatively, many fabricated *hadiths* had appeared, but in terms of quality, they did not qualify as *hadiths*; this is because filtering of *hadiths* has worked, so it did not get any worse.

Al Banna (2001) observed that the evaluation of *hadith* did not go well in later periods, mainly for two reasons: first, it was because the Islamic world had experienced a setback in all fields until the door of *ijtihad* was closed that since the 4th-century hijra. Secondly, new rules had emerged which were being set by the scholars of *hadith* after Abu Hanifah and Muhammad ibn Idris al-Shafi'i, the two eponyms of Hanafi and Shafii schools of law respectively, changed the tendency of *hadith* transmission from restraint to relaxation. This means that the scholars of *hadith* in this period had relaxed their conclusions at the end of the *hadith* they studied, confirming or validating weak *hadith*. Such judgements about *hadiths* gave opportunities to the evolution of fabricated *hadith* turning *hadith* into weak ones (Al Banna, 2001). Later scholars like Al-Qurtubi and Yusuf Al-Qardhawi (Sahidin & Rahmadi, 2021), however, regarded the fabricated *hadiths* as not an isolated problem but a complicated and complex problem one as it included many factors such as pietism, group fanaticism and politics, and agreed to consider the inclusion of fabricated *hadith* into the category of weak *hadith*. Some Muslim jurists even allowed attributing the law born out of it to include fabricated *hadith* in jurisprudence, which turns *hadith* not much different from the ordinary fatwa and attributed to the Prophet.

Several jurists like Abu Syu'bah have used weak *hadith* to strengthen their opinions; sometimes, they reduce or add fabricated *hadith*, which is a fatal mistake, and enter into an exaggerated attitude, which can violate prohibition of the *shar'ia*. This situation continues today, to which it is argued that the goal is justified. The problem is that a fabricated *hadith* is used in the process and whether it can produce a good one. This situation differs from the authentic *hadith*, which produces definite knowledge (Hasanah, 2023). Furthermore, Al Banna (2001) argues that fabricated and weak *hadiths* are used in many Islamic books. There are also *hadiths* of companions and *tabi'in* that are attributed to the Prophet. The difference is only in terms, the *hadiths* which allegedly reached the Prophet are called *marfu'* (raised); while which reached the companions were called *Mawquf* (stopped), and those that reached the *tabi'in* are called *Maqtu'* (disconnected). Therefore, all such statements, laws and fatwas of the companions, some of which are specific to them, maybe through the Prophet directly or through other companions, but all those are for the Muslims. Al Banna (2001) considered this statement specific to all the Prophet's companions, much more

comprehensive than that of the ummah. Although it is not narrated in its entirety, it was the companions who always accompanied the Prophet until his death.

To make a comparison of the statements made by companions, Abu Hurairah authentically describes all that happened when the companions were with the Prophet. Abu Hurairah's narration would not be so akin to the statements as it is today, nor it would include something that other companions did not narrate, Abu Hurairah would have narrated it. These statements do not need to be ignored, because the companions were very careful in narrating the *hadith*, which they initiated like "The Prophet said" or "I heard the Prophet say"; therefore, there is a possibility of these statements being authentic and original. Hence, in the form of the companions' interpretations, each statement stands out with much fundamental difference." (Al Banna, 2001). These terms used by the companions while narrating the *hadiths*, give strength to these statements.

*Hadith* experts, jurists and ulama differ in their opinions regarding these statements, though, not all of their opinions are followed by Muslims. Al Banna (2001) justifies this difference of opinions as the words of companions cannot be used as arguments. He believed that Allah sent only one Prophet Muhammad to the people and one holy book, all people were ordered to follow him. This command also applies to companions to submit to *shari'a*. Whoever used arguments outside this means that he was unlawfully adding something to *shari'a*. Muhammad Abu Zahra rejected this argument, and called it an exaggerated view of the companions (Fadillah et al., 2022). It was argued that because many jurists employed the companions' sayings as authentic statements, they cannot be considered innovations (Hasanah, 2023). This conservative view reflects the previous generation that positioned the companions without limits. However, it was agreed that a blind faith on the companions' statements was certainly a mistake because this stepped over the basic principles of Islam because the Shari'a belonged only to the maker through the Quran and the prophetic tradition. To this matter, Al Banna (2001) argued that the consensus of companions was also a problem, especially when determining the solitary *hadith*. Undeniably, there was a *mursal hadith* during the companions' time. It was considered that none of the companions denied it (Al Banna, 2001) this suggests that when they narrated a *hadith*, it was not asked whether they heard it directly from the Prophet or through a third person, since many other companions might have heard the same *hadith* and also because they trusted each other.

The aforesaid arguments and opinions are the evidence that there were no

problems between the companions, even though there was a disparity between them in the number of *hadiths* they received, either directly from the Prophet or through intermediaries. Hence, the number of *hadiths* received is another issue. Hence, all such narrations of *hadiths* by the companions were acceptable as long as they met the criteria for the authenticity of a *hadith*. It made no difference when followers (*tabi'un*) narrated a *hadith* even though one of the narrators may not be well known. Al Banna (2001) was offended only when some ulama mixed a fabricated *hadith* with the authentic *hadiths*. In doing so, some of them limited the *hadith* with statements, words or stipulations. However, what many scholars of *hadith* do is including those that attributed to companions and followers. This is another leniency of scholars' *hadith*.

Kamaluddin (2023) joins this debate and of the narration of the *hadith* by companions and draws attention to even the criticism, the *sanad* (chain of the narrators) and *matn* (text) from the period of the companions to the period of its collection (Al Harithi, 2023). Hence, there is a need to revisit these hadiths and explore the suggestion of Al Banna (2001) about the sunnah renewal in the spotlight of experts in the field of *hadith*, that of offering a new alternative to the sunnah by using a paradigm in line with the Qur'an and only *marfu' hadiths*. He strongly advocated the rejection of such sunnah that is not in line with both the Qur'an and *marfu' hadith* (Diyarti et al., 2023). In such a state of arguments and intellectual queries, Al-Banna's thoughts which contains so much controversy deserves further investigation. The current study has attempted this investigation in the light of a new Islamic jurisprudence as contained in the Quran, the primary source of Islamic law. The focus of the study remained on the Qur'anic paradigm and not on the *hadith* narrators' paradigm.

## 2. RESEARCH METHODOLOGY

This study followed a qualitative research design, with data collected through desk research and library research methods. The kind of documentation examined included both the primary and secondary data. the primary data comprised religious scriptures, hadiths, and the Qur'anic verses, and specifically the book of *Nahwu al Fiqh al Jadid*. The secondary data material comprised books, articles and critical commentaries on the hadiths and religious scriptures. The data obtained was then analyzed using the content analysis method to identify the underlying themes and constructs to build upon the arguments of this study.

### 3. RESULTS AND DISCUSSION

Jamal a-Banna was born in Mahmoudia, Egypt, on December 15, 1920, AD, and died in 2013 AD. He was the younger brother of the leader and founder of the Muslim Brotherhood movement Hasan al-Banna. Jamal al-Banna was a critical thinker of revival and political reform and a populist activist who founded the trade union that championed the fate of workers in Egypt. The influence of brotherhood between the two siblings cannot be separated, especially in the dialectic of thought at that time. In general, the two do not have to look for differences in their thoughts about their movements. However, in order to take a closer look, the two sides of their personalities are unearthed. While Hasan al-Banna was able to adapt to the society and lifestyle at that time until the Muslim Brotherhood movement was formed, Jamal Al-Banna was very different from his brother, as he prefers to live in the village and found it difficult to adapt to urban areas. Among the scientific works that have become controversial is *Nahwu al-Fiqh al-Jadid* (The New Fiqh Manifesto), which has been chosen for analysis in this study. The following is the account of the *Hadith* Version of Jamal al-Banna's *Nahwu al-Fiqh al-Jadid*.

- *Introduction to the Transmission of Hadith.*

Jamal al-Banna's understanding of the Islamic teaching ranges from classical thought to new discussions, emphasizing on universal values as well as local customs. Such an understanding shows the weakness of his views in the Islamic world, which do not have much effect as blends together legal arguments in the Qur'an, sunnah, consensus (Ijma') and analogy (Qiyas). It is also alleged that his ideas on *hadith* are flawed, therefore, for the beginners the impact is huge as they might consider a large number of *hadiths* wasted for being considered weak or fabricated. Jamal al-Banna, however, argued that sunnah is *hadith*. *Hadith* has become the main source of Islamic law because the Quran mainly speaks in general terms (Arshad et al., 2023). The Quran only stipulates very few principles in detail; and hence, the existence of *hadith* is due to Qur'an's general nature (Dahuri et al., 2023).

Undoubtedly, both the Quran and *hadith* are primary sources of Islamic law. The *hadith* explains the understanding of a verse in the Quran, and about the events occurred at the time of the Prophet. Therefore, both are undisputed sources of Islamic teachings. However, Jamal al-Banna believed that a few *hadiths* are in the category of fabricated *hadith*, such as the *hadith* of companions (*mawquf*) and the

*hadith* of *tabi'un (maqtu')*. It is difficult to accept him because this kind of understanding may be artificial since Al-Banna seems to have ignored the definition of *hadith* as laid down by experts. According to *hadith* experts, all kinds of words, deeds and approval associated with the Prophet are *hadith*. In addition, not all the words of the Prophet are written because many companions acted according to what the Prophet has said, did or approved, without any documented narration. On the other hand, the companions were the best generation in Islam who became the spokesman for the Prophet and spoke according to what the Prophet saw and wanted, then they recorded and conveyed to the Muslims. This can be proven by research on the *hadith* and *asbab al-wurud*. However, here Al-Jamal does not take the integrity of companions into consideration.

Al-Zeebaree (2023) argued that it is not justified for a Muslim to rely on *hadith* without investigating the validity of the *sanad* and its *matn*, prior to making decisions based on strict rules and texts by experts. The development of *hadith* narration from companions to *Mukharrij* may not have the same quality, but they are equally valid. The reason is that these words were uttered by the Prophet to the narrator to *mukharrij*. If such a *hadith* is authentic, according to the Quran (53:3-4), which means "And what he said was according to his desires." His words were nothing but revelations that were revealed. (to him)". Everything attributed to the Prophet is called *matn* (the text of the *hadith*); some are original words of the Prophet, while other words are those of companions. The companions' words or narration cannot be separated from their ability to capture the events that happened to the Prophet. Hence, if it is investigated further, it will become more apparent which of the companions' narration is the true version from the Prophet and which not. If any narration is found fabricated, it would be assigned to the companion who misinterpreted it.

Jamal al-Banna's opinion cannot be entirely blamed, but most precisely, all *hadiths* require proof of truth. Al-Banna rightly argued that if a weak *hadith* contradicts the Qur'an and is rejected as unauthentic, it requires a solution. At the same time, if a *hadith* is considered weak by the *hadith* scholars but does not conflict with the Qur'an, it should be considered sound (*sahih*). The dichotomy between weak or strong *hadith* and flawed or authentic *hadith* is linked with the beginning era of Islam when most Muslims focused only on the Qur'an, and only a small number of companions were allowed to collect *hadith*, which started after the Qur'an was well collected and circulated. The collection of the *hadith* was prohibited since most of them did not align with the teachings of the Qur'an. Therefore, only such *hadith* was allowed to be transmitted which were supported by written documentation. While this ensured the search for authentic *hadith*, it also required more time and careful evaluation (Hasanah, 2023).

Al-Zeebaree (2023) rightly pointed out the challenge of documenting the authentic *hadith*, as most of them were based on memorization, and there were many conflicting interests which potentially doubted their authenticity. Additionally, the difficulty in finding *hadith* was a matter of its narration, whether it was *sahih*, *hasan* or *daif*. There was also another challenge whether the *hadith* was written by one or more *mukharrij* with same or different wordings. For this reason, many scholars of *hadith* assume that a few *hadith* were not authentic as they were not originally from the Prophet (Hasanah, 2023). However, the posterity did not agree to this opinion as a *hadith* must be seen from two aspects; its *wurud* (transmission) and its *dalalah* (meaning). *Hadith* critics affirm the criticism of *sanad* and *matn*, which are just like two sides of a coin, which cannot be separated, even though they can be distinguished. However, in practice, ulama emphasize the criticism of the *sanad*; some are related to the criticism of the *matn*. In practice, it is also more oriented to the criticism of the *sanad*, so this problem often raises controversy among experts. However, it is confirmed that the point of the problem lies in the *sanad*, but it also emphasizes the criticism of the *sanad* and *matn* of a *hadith* together (Kamaluddin, 2023).

Amin (2009) assessed the situation and felt that problems of flawed or authentic *hadiths* cannot be separated from the manner in which the Prophet's companions interpreted them when these were received from the Prophet. It is certain that the companions received the *hadith* either directly or indirectly, often through an intermediary of another companion. It was also often the case that a companion would hear the *hadith* from another companion but silences it and does not transmit it to others because they have another view on the *hadith* brought by that companion. Such companions who had no interest in transmitting the *hadith* to others (silence) could be due to two reasons, first: the companion who received it did not want anyone to comment upon it, second: there were people who would deny or criticize the *hadith* and call it as a mistake of the companion concerned because of having a different point of view.

Besides, there are several other issues in the transmission of a *hadith*. One of the biggest problems of *hadith* collection lies in the fact that it was taking place long after the prophet's age. The collection process relied more on memorization, and it was quite possible that the companions might forget the background or the context of the *hadith*, or they might include commentary in the narration in order to make it a unified *hadith*, which was a cultural factor and a unique feature of the Arab companions. Owing to this, what was transmitted could be a version different from the one intended by the Prophet. Owing to all these possibilities, the transmission of *hadiths* by companions is the object of criticism. Examples



can be cited when Aishah, with her strong memory power, once criticized Abu Hurairah as well as other companions such as Umar ibn al-Khattab, Abd Allah ibn Umar, Jabir ibn Abd Allah, Ka'ab al-Ahbar and Hafshah, for the wrong transmission of the *hadiths*.

- *Understanding the Methodology of Transmission of Hadith.*

*Hadith* scholars believe that the long duration between the writing of the Qur'an and the *hadith* is evidence that not all *hadiths* are authentic (Hasanah, 2023; Qohin & Kasiyati, 2020; Sulthon, 2022), even though at that time, the Prophet had ordered to transmit the *hadith* without writing it, so the *hadith* had long been in oral circulation. After the Prophet, the scholars devised documentation criteria like *sahih*, *hasan* and *dha'if*. These criteria were not different from the depth of Shari'ah knowledge and therefore gradually it was agreed to identify such norms that could determine a *hadith* as authentic (Hasanah, 2023).

Caliph Umar Ibn Abd al-Aziz of the Umayyad dynasty was the first person who took the initiative to collect *Hadith*, by ordering Ibn Shihab al-Zuhri and Abu Bakr Ibn Hazm to document *hadith* (Al-Khatib, 1979). As a result, only a few companions could record their narration in the form of private collection of the *hadiths* (Zuhri, 2003). The writing patterns of these *hadiths* also followed the style of Islamic jurisprudence; while the criteria employed were also in accordance with the validity measures put forward by *hadith* scholars in the second and third centuries of Hijra era. There were mainly two criteria as supported by the Ulama as well: the *sanad* and the *matn* (Kamaluddin, 2023). They looked at each *hadith* with these criteria for transmitting and determining the validity and authenticity of the *hadith* narration (Al-Ghazali, 2005; Hasanah, 2023). This suggests that when examining a *hadith*, it was a matter of truth discovery; either to accept or reject it. Subsequently, however, *hadith* scholars put forward many other criteria about its validity, some almost similar or the same, but variation did occur.

Taking the views of the *hadith* scholars and many aspects of the transmission of *hadith* during these generations of companions and *tabi'un*, the current era is most critical in the evaluation of the *hadith*. This suggests that *hadith* scholars viewed the period of the companions different from the current time, since during that time or during the lifetime of prophet, there was no issue with the transmission. Any discrepancy in the version of the *hadith* was seen as the companions' mistakes but their validity was never questioned. During that time, if

it was proved that the *hadith* was from the Prophet, it did not matter which language was used for the transmission of the *hadith*, whether it was the local dialect or it contained not all of the original words of the Prophet. In other words, it was actually the companions' interpretation of a *hadith* which compromised with the accuracy and authenticity of the meaning of *hadith*. This applies to all types of *hadith*, including their words, deeds and approvals of the prophet (Hasanah, 2023).

Al-Banna kept himself away from the details about *sanad* and *matn*, as he felt that the two cannot be separated. According to him, a *hadith* might be sometimes problematic if the *sanad* does not meet the criteria of a *sahih*, or there is a *hadith* with unbroken *sanad*, but the *matn* is always considered contrary to the Quran (Hasan, 1983, 2007) Although this problem existed since the time of the companions, there have occurred many differences of opinion among *hadith* scholars, in seeing whether a *hadith* is valid from the Prophet or not. If this happens, then the theory of *sahih al-isnad and dha'if al-matn* is applied. This theory is the most appropriate to determine the truth of a *hadith* from *matn* aspect.

It is quite evident that companions applied considerable degree of caution in the transmission of the *hadith* attributed to the Prophet. Hence, there should not be any falsification of the *hadith*. Moreover, companions also determined the validity of a *hadith* by evaluating its *sanad* and *matn*, by confronting it with the Quran, and by contrasting with another *hadith* on a similar topic. If contradiction occurred, the subsequent step was to determine the stronger *hadith*, one that should not contain any *shadz* (solitary) and *illat* (handicap) elements. Likewise, the scholars of *hadith* paid attention to the study of narrators' criticism, either in the form of *jarh* (negative assessment) or *ta'dil* (positive assessment). They also tried to explain from the side of chain of narrators; either *muttashil* (connected) or *munqati'* (disconnected). Ulama' also explained the characteristics of individual integrity of narrators, such as fair, wicked, heretical, strong memory, forgetful, senile, and so on, to *the science of jarh wa ta'dil*. This procedure was only to find out the validity of the *sanad*. From here emerged *Naqd al-Isnadi* (*sanad* examination), or *Naqd al-Matn* (*matn* examination).

Interestingly, from the perspective of *al-Jarh wa al-Ta'dil*, the narrators of *hadith* were not all in one degree of recitation (memorization). Among them, some had perfect memorization, others lacked this quality, and some were often forgetful and narrated wrongly and flawed *hadith* even though they were fair and trustworthy. Some narrators even found to have lied. In short, nothing has been examined

concerning the authenticity and truthfulness of *sanad* and *rawi* (narrator).

- *Behind the Prohibition of Recording al-Sunnah*

It is believed that the views of Jamal Al-Banna on the prohibition of recording sunnah or transmission is not accurate Aziz et al. (2022). Although the main preoccupation of the Muslim community remains on the authenticity of the Qur'an; it is a fact that there were some companions such as Abd Allah ibn Abbas and Abd Allah ibn Umar, who were allowed to record *hadith*. Al Banna (2001) argued that Abu Bakr and Umar ibn al-Khattab also did the recording of *hadith* at the time of the Prophet, but before Abu Bakr died, he burned the *hadith* he had recorded; which was also the case with Umar ibn al-Khattab. Thus, the record of *hadith* existed only at the time of the Prophet. Muhammad Tayyib an-Najjar strongly support the idea of finding about the authenticity of the *hadith*, but he rejected the statement that the Sunnah was not allowed to be written at the time of the Prophet. Muhammad al-Siba'i, too, denied that *hadith* had ever been recorded during the time of the prophet as it was prohibited (Aziz et al., 2022).

The prohibition of recording of the Sunnah or the *hadith* during the time of the prophet is not absolute in the sense of maintaining the authenticity of the Qur'an (Sulthon, 2022). Therefore, it is expected that Muslims can distinguish between the two because the Sunnah itself is interpretation (*Tafsir al-' Amali*) of the Qur'an and the Messenger of Allah himself as the interpreter (Dahuri et al., 2023). This is proven by Aishah *Umm al-Mu'minin* who understood and knew the Prophet in depth with the statement: "*Khuluquhu al-Qur'an*" (His character is the Quran). This is anticipated through various events occurred at the time of the Prophet, as illustrated in the Qur'an. Without the help of the Prophet's information, the mission of the Qur'an would not be clearly comprehended (Arshad et al., 2023). Therefore, both the Quran and *hadith* became the sole source of Islamic teachings. For the Qur'an, Muslims are in agreement on its authenticity because of its *tawatur* (collectivism or group dynamics).

*Hadith* a however a different story since not all *hadiths* are attributed to the Prophet and not all of them are considered authentic (Hasanah, 2023). It must be evaluated by examining the *sanad* and *matn*. In addition, it should not contradict the Qur'an. Since the *hadith* is a kind of record of the life of the Prophet, its function is to explain and exemplify the implementation of Islamic teachings. If the Qur'an is conceptual, the *hadith* is practical and operational. Occasionally, its existence is in the form of a spontaneous reaction, sometimes in the form of answers to companions' questions, warnings to companions, or in the form of examples of

certain religious behaviors. It is what Jamal Al-Banna did not pay much attention to, that the existence of *hadith* is a form of information independent of the Qur'an; which suggests that *marfu'*, *mawquf*, and *maqtu'* all can be called *hadith*.

Aziz et al. (2022), in conformity with the Quran, drew parameters for the authenticity of *hadith*, as he admitted that most *hadiths* were potentially contradictory with the Quran (Sulthou, 2022). According to him, the validity of the narration could be proven if a standard assessment is done of the Qur'an. Therefore, if the yard stick is not the Quran, the problems will persist forever and the *hadith* will remain a topic of debate forever with double standards. Thus, if a *hadith* is not compatible with the Quran, it is not allowed in *shari'a*. The hint to transmit a *hadith* when the Qur'an was written at that time was without encouragement and it was only limited to transmitting it, not collecting it. It could be interpreted that the companions were instructed only to transmit it verbatim, and not to add any interpretation from their side. In addition, the prohibition on collecting was only temporary, not permanent. After all, collection of the *hadith* was needed because the *hadith* comes from the Qur'an.

After the Prophet's death, more than fifty years later the collection of *hadiths* was started. Many observers have judged that the so called *muttasil sanad* (unbroken chain of narrators) was a later creation; although it needs further examination and scrutinization. The religious data included in *hadith* collection was not only attributed to the Prophet, but also for the understanding of the Muslims about their religion. As a result, all the *hadiths* that were written were not authentic nor were linked with the Prophet. All of their contents had to be stripped off from these understanding if the goal is to find the authentic prophet *hadith*. Zuhri (2003) argues that, if this is done, no *hadith* would be left and Islam would be increasingly difficult to comprehend.

- *'Adalah Al-Sahabah' or Integrity of a Companion*

Amin (2009) reiterated that the concept of *'Adalah al-Sahabah'* can be translated into integrity or authenticity of companions, who occupy a critical position in Islam (Hafid & Mahmuddin, 2022). They become the link between Muslims and the Prophet because they had witnessed the birth of Islam and were early Muslims under the tutelage of the Prophet Muhammad himself. They transmitted the Qur'an and the Sunnah of the Prophet. Kamaluddin (2023), too, believed that a majority of companions were people of integrity. They did not fabricate *hadiths* intentionally, which most scholars who understand the *hadith* accepted it as the testimony of companions. However,

the concept of integrity of companions is not clearly stated in the Quran or *hadith*, but many texts can be used to infer the idea of their integrity. However, in criticizing the *sanad* and *matn* of *hadith*, the integrity of companions still needs further examination and scrutiny.

Talking about the integrity of companions brings up other issues such as whether all companions had the same quality of honesty and integrity or whether they narrated the same number of *hadith*. Similarly, the issue was also raised that not all *hadiths* narrated by them were actually authentic, because companions were not equal in number in narrating *hadith* (Hafid & Mahmuddin, 2022). However, the texts of the Qur'an and *hadith* vouch for the integrity of companions, because of the Prophet's guidance. Thus, they have different qualities, but they also had identical level of integrity. This discussion shows that there is no reason to reject the concept of integrity of all companions because they are the best human beings, and the Prophet directly guided them. For this reason, all companions occupy a high rank in Islam. If their integrity is still contested, it will damage Islamic values. Hence, the knowledge gained by companions is the knowledge that they have practiced based on the tutelage from their teacher, the Prophet Muhammad.

- *Mistakes in the Narration of Hadith by the Companions.*

The problems surrounding the narration of companions should not be exaggerated. It was believed that if something went wrong, other companions would rectify it. This was how a *hadith* was preserved. This clearly shows that Jamal al-Banna did not see the companions comprehensively. He did not see that when a companion heard a narration that did not match what he or she knew from the Prophet, he or she would immediately explain it. Companions, in general, had a careful and thorough attitude so that they corrected the narration of one another, and they were always careful in accepting a narration. This attitude was essential in narrating a *hadith*, and as form of honor to the Prophet. However, on the other hand, they were also not free from errors and mistakes.

There were two factors that strongly supported the occurrence of errors in the narration of a *hadith*. Firstly: the limited recording of *hadith* which was because the *hadith* was narrated based on memory. It was a characteristic of the Arabs at that time. This limitation was one factor in the occurrence of errors in narrating a *hadith*. Secondly, the inexact narration of *hadith* (not verbatim) was another reason to doubt the authenticity of a *hadith*. Some ulama do not use exact wordings as the Prophet originally said when narrating *hadith*. In fact, most of the companions narrated *hadith* in their own way and not the way narrated by the Prophet. It was

one of the reasons for the error in narrating the *hadith*. If a *hadith* is narrated inexactly, then the authenticity of the *hadith* cannot be ascertained (Hafid & Mahmuddin, 2022). This also became one of the causes of the weakness of a *hadith*, especially in terms of its *matn*. It is better to narrate the *hadith* with the original wording to avoid mistakes than to narrate the *hadith* inexactly or in your own manner. It is true that mistakes in narrating a *hadith* accidentally were one of human nature. However, the *thiqah* (narrator with strong memory) can always rely on his or her memory and practice an attitude of caution. Therefore, they narrated many *hadiths* but rarely erred on their narration.

The generation of companions was the generation in direct contact with the Prophet, and they passed on to the next generation whatever they received. Companions were also constantly researching the truth of the news as their research was a part of the proper examination to avoid error and to preserve the truth. They were truly concerned about telling truth in *hadith*. Therefore, it can be concluded that the companions' caution in receiving *hadith* was undervalued by Jamal Al-Banna.

#### 4. CONCLUSION

Jamal al-Banna is flawed in many respects on *hadith* in his book *Nahwa al-Fiqh al-Jadid*. First, it is not based on the Quran as the primary source of Islam. Second, the book is merely a liberal thought with the intention of finding errors rather than appreciating the efforts made by the companions. Thirdly, in his analysis, the only *hadith* that Al Banna considered as legitimate source of Islamic law was *marfu' hadith* because it was the words of the Prophet, whereas, the sayings of companions, which were called *mawquf* and followers which were called *maqtu'*, were not *hadith*. If both (*mawquf* and *maqtu'*) are called *hadith*, then the Islamic source of law is not just two, but more than that. Such a statement by him is a sign of rejecting something that is attributed to companions, provided that the *marfu' hadith* is essentially an extension of the Prophet's words through companions.

The analysis of the *hadiths* displayed by Jamal al-Banna seems rational for beginners who study *hadith* so that they are carried away by the rhythm of his thoughts. They would not be aware that he distorted the fact that the companions were the spokespeople of the Prophet to Muslims, who entirely contained information on the Qur'an and authentic *hadith*. If the companions were relegated, it would have an impact on reducing Islamic teaching in general. Still, for those who were already knowledgeable about Islam, they would know that

*hadith* would not exist without the companions. This will relate another difficulty in understanding the Qur'an.

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