



## Critical Studies to the Authority of Shahih Al-Bukhari as Source of Islamic Law

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### ABSTRACT

This research analyzes about the authority of the hadiths in the Shahih al-Bukhari as the main source of determining Islamic law after the Qur'an. This research is intended to answer the following question, "How can the authority of the Shahih al-Bukhari be viewed from the perspective of historical, qaidah fiqh, and modern science?" This research is a library research which uses content analysis as a method of analyzing the data obtained. In addition, this study also uses comparative analysis to answer the problem of the authority of the hadith in Shahih al-Bukhari when viewed from the perspective of qaidah fiqh. The results of this study are: First, the book of Shahih al-Bukhari is known as the book of hadith with the highest level of validity if it compared to other hadith books. However, as a human work result, the book of Shahih al-Bukhari did not escape from various praise and criticism by its readers. Among the criticisms made by the hadith scholars, there were things that the author did not agree with regarding al-Bukhari's closeness to the kings/chaliphs of the Islamic daulah at the time. On the other hand, the author argues that al-Bukhari is in an opposite position to the religious understanding held by the kings. However, on the other hand, the writer also indicated that the compilation of the book Shahih al-Bukhari was a work that could not be separated from the influence of the political atmosphere at that time. Second, in the book Shahih al-Bukhari there are hadiths whose it's redaction contradicts with a higher text - namely the text of the Qur'an - and modern science, therefore a re-research on the authenticity of these hadiths should be done. Third, as a result of al-Bukhari's ijtihad in the field of authenticity of hadith as well as in the field of fiqh, the book of Shahih al-Bukhari should be treated equally with the books written by other imams as long as the hadiths contained in the other books are recognized as hadiths from the Holy Prophet.

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### Introduction

Basically, the scholars agree that the sources of Islamic law are the Qur'an, Hadith, ijma' and qiyas. However, it should be admitted that not all Muslims consider that both ijma' and qiyas are part of the source of Islamic law, but only a method for establishing law. For example, Muhammadiyah which only recognizes two sources of law, namely the Qur'an and Shahih Hadith, therefore, when Majlis Tarjih finds the law in the Qur'an and Shahih Hadith, that is what is used.

However, the problem is what if the law regarding a problem is not explicitly regulated in the Qur'an and Shahih Hadith, to answer this question, the Tarjih Council uses the *ijtihad* method - including *ijma'*, *qiyas*, and so on - as a method for determining a law that has not been clearly stated in the Qur'an and Shahih Hadith. The Tarjih Council itself expressly states that *ijtihad* is only a method of establishing law, not a source of law (Djuwaini, 1989, p. 20). Regarding to the second source of Islamic law, namely hadith, there are nine standard books in the Sunni world and four in the Shia world that can be used as sources of law other than the Qur'an. However, in its journey, six standard books of hadith known as the Kutub al-Sittah were finally agreed upon as a book of hadith. At first the Hierarchy of the Pole al-Sittah was not something sacred, but only as a description of the real conditions that showed the tendency of the Muslim community during the process of selecting hadith as it is known today. That is why some hadith experts said that in the preparation of hadith books such as the Kutub al-Sittah and its hierarchy had a socio-political orientation that developed at that time which prioritized the *mahdhah* aspect of worship compared to problems in other fields outside of that, it can even be said that there is no hadith that discusses political and state issues (Siregar, 2014, p. 62).

Thus, the assumption then arises that the hadith scholars do not have full freedom in *ijtihad* related to issues that intersect with power. Because history has proven how the rulers in Islamic daulahs do not tolerate works that do not agree with the rulers. Therefore, among the existing works of hadith books, it shows that the poor inclusion of hadiths in the political and state fields is very unbalanced when compared to the hadiths in matters of worship and purification. According to Habibi Siregar, such conditions forced Muslim rulers to vigorously intervene in matters which they deemed could disrupt their hegemony in power, including intervention in matters of hadith and *fiqh*. Therefore, it is not surprising that studies related to *siyasa fiqh* (political *fiqh*) are not well developed (Siregar, 2014, p. 62). This fact has also been confirmed by some researchers in the book of Shahih al-Bukhari, which is the highest hadith book in the Kutub-al-Sittah hierarchy. This is as stated by some experts that the book of Shahih al-Bukhari narrates more hadiths from the Umayyad family and does not narrate a single hadith from the Ahlul Bait family (Humaidi, 2006). But in fact, the book of Shahih al-Bukhari is placed at the top of the ranking as a hadith book that is considered the most authentic compared to other hadith books. Even though if it is understood essentially, all hadith books are written based on the results of research and the *ijtihad* of their respective *pemlis*, so that none should be prioritized or even sacred than the others, because they are both the result of human *ijtihad*. Based on the background as explained, not all problems and criticisms of the Book of Shahih al-Bukhari can be expressed in this paper. Therefore, this research is limited to answering the following problem formulation, "How is the authority of the Kitab Shahih al-Bukhari viewed from a historical perspective, *fiqh qaidah*, and modern science?"

## **Method**

This research is a library research that uses a content analysis model as a method of analyzing the data obtained. The sources of this research data were obtained from various literatures related to the themes that became the focus of this research as contained in the results of previous studies, scientific journals, and the opinions of hadith experts related to the book of Shahih al-Bukhari. In addition, this study will also use comparative analysis to answer the problem of the status of legal hadiths in the Book of Shahih al-Bukhari when viewed from the perspective of qaidah fiqh.

## **Discussion**

### **Imam al-Bukhari: His live and Works**

Imam al-Bukhari was born with the full name of Abu Abdullah Muhammad bin Isma'il bin Ibrahim bin al-Mughirah bin Bardizbah al-Ju'fi al-Bukhari in 194 H in the city of Bukhara. It is narrated that in his childhood Imam al-Bukhari had experienced blindness. Seeing the condition of her son, the mother felt sad so she always said a prayer for al-Bukhari's recovery. Because of his mother's earnestness in praying and relentless, finally Allah returned the sight of little Imam al-Bukhari (Farah, 2014). As for al-Bukhari's father, Ismail bin al-Mughirah, a figure who was known to be diligent and tenacious in studying, he had studied with Imam Malik bin Anas, Hammad bin Zaid, and Abdullah bin al-Mubarak. At a relatively young age – not yet 10 years old – al-Bukhari had studied hadith. At the age of almost 16 years, he has managed to memorize all the sanad and matan hadith in several books written by Ibn al-Mubarak and al-Waqi' (Farah, 2014). When al-Bukhari was 16 years old, he performed the pilgrimage and stayed in Mecca for 6 years to study hadith. Then he continued his odyssey looking for hadith to various countries and big cities such as Medina, Khurasan, Baghdad, Basra, Sham, and other important cities. In every country he visited, al-Bukhari studied with the hadith experts in that city.

He is a figure who is very well known for his expertise in the field of hadith science. He recorded thousands of hadiths from the teachers he had studied with him. Among the hadiths that he narrated were sourced from Ad-Dhahak bin Mukhallad, Abu Ashim Al-Nail, Makki bin Ibrahim al-Hadhali, Ubaidah bin Musa al-Abbasi, Abdullah Quddus bin Hajjaj, Muhammad bin Abdullah al-Ansari, and others. While the Hadith scholars who study and narrate Hadith from him are also not small, including Muslims, Tirmidhi, Nasa'i, Ibrahim bin Ishak al-Hurri, Muhammad bin Ahmad al-Daulabi and Mansur bin Muhammad al-Bazdawi. He admitted that during his wanderings in search of hadith, he had written hadiths from 1080 teachers, all of whom were hadith experts. Among them were Imam Ali ibn al-Madini, Imam Ahmad bin Hanbal, Yahya bin Ma'in, Muhammad Yusuf al-Firyabi, and Ibn Rawahaih. Because of his perseverance he earned the title of Imam Muhaddisin in the field of hadith. Many hadith scholars have studied with him, such as Muslim bin Hajjaj or known as Imam Muslim, Imam al-Tirmidhi, Ibn Khuzaimah, and Imam Ibn Abi Dawud.

As an Imam of Hadith, Imam al-Bukhari's genius and memorization cannot be doubted. Once he was asked by Muhammad bin Hatim al-Warraaq about the sanad and matan contained in his book, *Shahih al-Bukhari*. He replied that all the hadiths contained in the book are not in the least vague or doubtful. Al-Bukhari's genius has also been proven by hadith scholars in the city of Baghdad. This is done by taking 100 hadiths, which are exchanged for their sanad, and then asking al-Bukhari. Then al-Bukhari answered the questions of the hadith experts one by one correctly, none of the answers given were wrong. All questions were answered according to the actual sanad and matan. The hadith scholars in Baghdad at that time could do nothing but express their admiration for al-Bukhari for his genius and extraordinary memorization power (Farah, 2014). At the end of his wanderings, he finally chose to return to his hometown, Bukhara. In the place of his birth he received the honor and glory of the community. However, this situation turned out to be a separate concern for the ruler of Bukhara at that time, namely Muhammad bin Yahya al-Zihli (d. 157 H). With the arrival of al-Bukhari, there was a fear in him that he would lose influence in society, he spread slander to al-Bukhari by calling him a person whose thoughts were contrary to government understanding (*mu'tazilah*). Finally Imam al-Bukhari left Bukhara for Khartanak, a city near Samarkand and died in that city on the 30th of Ramadan in 256 H/31 August in 870 AD (Humaidi, 2006). Among the works of Imam Bukhari are *al-Tawârikh al-Tsalâtsah al-Kabîr wa al-Ausath wa as-Shaghîr*, *al-Kuna*, *al-Wuhdan*, *al-Adab*, *al-Mufad* and *ad-Dhu'afâ'*. His monumental work that has become a reference to date is *al-Jâmi 'al-Musnad as-Shahh al-Mukhtasar min Umûri Rasûlillah Shallalâhu Alaihi Wasallam wa Sunanihi wa Ayyâmihi* or commonly called *Shahîh al-Bukhâri*. Other works that can be mentioned here are *al-Asyribah*, *al-Hibah*, *al-Shahâbah*, and *Kitâb al-'Ilâl*.

### **Description of Shahih al-Bukhari**

It is stated that the origin of the compilation of the book of *Shahih al-Bukhari* was on the recommendation of one of al-Bukhari's teachers, namely Ishaq bin Rahawaih, he told al-Bukhari, "You should compile a book specifically containing the authentic Sunnah of the Prophet." It was the will of the teacher that prompted al-Bukhari to compile a book of hadith that is different from the previous books, namely by recording the hadiths that are only authentic. So the book of hadith called *al-Jâmi 'al-Musnad as-Shahîh al-Mukhtasar min Umûri Rasûlillah Shallalâhu Alaihi Wasallam wa Sunanihi wa Ayyâmihi* was compiled. According to 'Ajjaj al-Khatib, what is meant by the word *al-jami'* in the title of the book of al-Bukhari is that the book contains legal hadiths, social etiquette, history, virtues of charity, as well as news that will come / doomsday. While the word *al-musnad* means that in the book there are no hadiths with weak quality (M. Al-Khatib, 1989, p. 48). *Shahih al-Bukhari* contains 9082 hadiths. But this number is actually still far from the number of authentic hadiths memorized by al-Bukhari, which is around 100,000 hadiths. The hadiths written in the *Shahih* book are those that were selected through very strict requirements. Meanwhile, Ibn Salah

mentions that there are about 7,275 hadiths in Shahih al-Bukhari, including those that are mentioned repeatedly, or about 4,000 hadiths without repetition. Ibn Hajar explained that the number of hadiths in the Shahih book is 2,602 whose sanad is continuous (maushûl. Meanwhile, there are 159 hadiths whose chain is not continued. According to Ibn Hajar, the total hadith in the Shahih book, including those that are mentioned repeatedly, are 7,397 hadiths. This amount is beyond the calculation of the number of hadiths that are based on friends (mauqûf) as well as words narrated from tabi'in and the scholars after him (Al-Asqalani, 1934).

In terms of determining the criteria for authenticity of hadith, al-Bukhari stipulates several strict requirements as follows: (1) A hadith is considered authentic if its chain linkage is marked by a direct meeting between teacher and student, or at least between teacher and student living in the same period. (2) In terms of the nature or level of knowledge of the narrators of the hadith, the highest and strictest criteria are emphasized. In this case, they are those who occupy the first level of scientific position, namely narrators who are fair, strong in memorization, thorough, honest, and long in learning. Based on the results of research conducted by two hadith scholars in the 6th century Hijri, namely Imam Hazami and al-Maqdisi, the key words are that al-Bukhari only wrote hadiths narrated by first-level narrators and a few second-level narrators. This conclusion is based on the classification of al-Zuhri's students who reached five, namely: The first level, are those who have a fair nature, are strong in memorization, are thorough, honest, and have long studied with al-Zuhri. The second level, are those who have the same characteristics as the first level, but do not take long to study with al-Zuhri. The third level, are those who are below the second level. While the fourth and fifth levels are those who have disabilities (majrûh), and weak memorization (Farah, 2014, p. 49). Therefore, the scholars ensure that none of the hadiths in the book are weak (daif). In this case al-Bukhari himself said that, "I do not write a hadith in my Shahih except that I take a bath first and pray two rak'ahs" (D. M. Al-Khatib & Musafiq, 2007). Another editor mentions that a student of al-Bukhari named al-Firbari said that he had heard the Imam say, "I compiled my Shahih book in the Masjid al-Haram. I did not include a hadith in the book before I performed the istikharah prayer of two rak'ahs. After that I really feel sure that the hadith is authentic hadith ". It is also mentioned that al-Bukhari said, "I compiled this book of al-Jâmi 'al-Musnad for 16 years, it is the result of a selection of 600,000 hadiths" (D. M. Al-Khatib & Musafiq, 2007).

The book of Shahih al-Bukhari is organized by grouping certain themes known as "books". The number of themes/books listed in the book is 97 books. Each book consists of several sub-themes which are referred to as "chapters". Altogether there are about 4550 chapters starting with the book of bad'u al-wahyi, then the book of al-îmân, the book of al-'ilm, the book of al-wudh', the book of al-ghuslu, and so on. Please note that in Shahih al-Bukhari there are a number of hadiths that are not listed in the chapter. On the other hand, there are a number of chapters that contain a large

number of hadiths, and there are chapters that contain only a few hadiths. In addition, there are also chapters that only contain verses of the Qur'an without any hadith, and there are also chapters that are empty without the contents of any hadith.

### **The Ulama's View of the Shahih al-Bukhari**

So far, it can be said that the majority of scholars of hadith experts agree that the book of Shahih al-Bukhari is the first book compiled by separating the authentic hadiths from other hadiths. Although this kind of method has actually been carried out by the first generation of scholars, it is only limited to the act of collecting hadith, including the opinions and legal decisions of the Companions which are written at random, not yet systematized as was done by al-Bukhari. Therefore al-Nukhari is considered a reformer in the field of hadith codification who prepared the foundation for the next generation such as Imam Muslim, Abud Dawud, Ibn Majah, al-Nasai, and al-Turmudzi (Humaidi, 2006, p. 173). Imam Ibn Kathir said that the first person who paid attention to the collection of authentic hadith was al-Bukhari, who was then followed by his students and companions. In Ibn Kathir's view, among the books that contain the most authentic hadith are Shahih al-Bukhari and Shahih Muslim. But according to him the more authentic is the book Shahih al-Bukhari. The reason is that the conditions for authenticity set by al-Bukhari are more stringent than those set by Muslim, namely the necessity of a meeting between a narrator and his teacher. Meanwhile, the conditions set by Imam Muslim are fulfilled by the contemporaries of the narrators and their teachers, even though they do not hear the hadiths directly or meet directly with their teachers (Humaidi, 2006, p. 173). Therefore he dared to ensure that all scholars agreed to accept the book of Shahih al-Bukhari.

In line with Ibn Kathir's view, Ibn Salah said, "Know that the books of Shahih al-Bukhari and Shahih Muslim are the two most authentic hadith books after the Qur'an. However, Shahih al-Bukhari is more authentic than Shahih Muslim and most Ibn al-Subkhi also stated the same thing about the book of Shahih al-Bukhari, he said, "The book of Shahih al-Bukhari is the noblest book of hadith after the Qur'an." Another scholar, Imam al-Nawawi, said that "The scholars agree that the most authentic books of hadith after the book of Allah are Shahih al-Bukhari and Shahih Muslim." According to him, all Muslims unanimously accept these two books, and no one denies their authenticity. Especially the book of Shahih al-Bukhari which he considers more reliable. Shahih and spread more benefits and knowledge (Farah, 2014). As quoted by al-Hasani, Sheikh Rashid Ridho said that the hadiths contained in the book of Shahih al-Bukhari are the most authentic hadiths selected from the hadiths contained in all previous hadith books. He also holds the view of what Ibn Kathir said, that the hadiths in Shahih al-Bukhari are more authentic than those in Shahih Muslim. However, he does not deny that there are more authentic hadiths outside the two books (Al-Hasani, 1991).

As a human work, the book of Shahih al-Bukhari does not escape praise and criticism directed at both the author and the contents of the book. Among the criticisms of the book of Shahih al-Bukhari was made by Imam al-Daruqutni regarding 80 narrators and 110 hadiths which in his view do not meet the standards as authentic hadith like other authentic hadiths in the book (M. Al-Khatib, 1989, pp. 395–397). This criticism was refuted by Ibn Hajar al-Asqalani by explaining that after an in-depth study of the hadiths considered mu'allaq (Etymologically, the word mu'allaq is an isim maf'ul from the word 'allaqa which means "to hang something on something else so that it becomes dependent". As for terminology, the hadith mu'allaq is a hadith that is deleted from the beginning of the chain of either one or more narrators in a row) (Ichwan & Chuly, 2007, pp. 136–137), and even *munqathi'*, (According to 'Ajjaj al-Khatib, the munqathi hadith' is a hadith whose sanad falls in one or more places, or the name of a person who is not known is mentioned in the sanad. Meanwhile, according to Ibn Salah, hadith munqathi' is defined as a hadith where a narrator before his companions died in one place, or two narrators died in two places, not consecutively. Munqathi' hadith is part of the daif hadith that cannot be used as evidence. Because the death of one or more narrators causes the loss of one of the conditions for the authenticity of a hadith) (Ichwan & Chuly, 2007, pp. 136–137), turned out to be all marfu' (The marfû hadith is a hadith which, when traced to its source or transmission, continues to the Prophet. This hadith has a series of continuous sanad (muttashil). Among the characteristics of the Hadith marfû 'is when a friend said, "That the Messenger of Allah said, "... so... etc." Likewise, if a tabi'in mentions what the friend said, then it is also called a marfû' Hadith), and *muttashil* (The muttashil hadith is a hadith that is continued in the chain, where each narrator in the chain hears from the narrator above it, until it reaches the end of the chain, namely the Prophet or companions or tabi'in. Hadiths like this are commonly referred to as Maushul Hadith. Thus the muttashil Hadith can be divided into three parts, First, muttashil marfû ', namely the Hadith whose sanad continues to the Prophet. The two muttashil mauqf, namely the Hadith whose chain of sanad is continued only to friends. and the three muttashil maqthû ', namely the Hadith whose chain is continued only to the tabi'in).

Based on his opinion, the emergence of assumptions that the hadith in question is mu'allaq or munqathi' is because Imam al-Bukhari often repeats several hadiths and summarizes them in several different chapters based on the theme of a particular chapter. According to Ibn Hajar, the repetition of the hadiths carried out by al-Bukhari is done to show that there are differences in the narrated sanad or matan. Therefore, al-Bukhari rarely mentions the same sanad and matan in different places. This explanation can be found in the work of Ibn Hajar al-Asqalani entitled Tahzib al-Tahzib (Al-Asqalani, 2004). However, apart from his defense of al-Bukhari, in another place Ibn Hajar also criticized him. He said that "I quoted the book Shahih al-Bukhari from the original book that was in his friend Muhammad bin Yusuf al-Fariri. In the original book I found incomplete and

unclear hadiths regarding the biographies of the narrators, and Hadiths whose narrators have not explained (Humaidi, 2006, p. 174). Other criticisms were raised by al-Jashash, Jamaluddin al-Qasimi, Sheikh Muhammad Abduh, and Sheikh Muhammad al-Ghazali regarding the hadith of Ayesha regarding the bewitchment of the Holy Prophet by magic performed by Labid bin A'sham. In the view of these scholars, accepting the hadith about the bewitchment of the Holy Prophet clearly endangers the principle of the Prophet's infallibility. In addition, by accepting a hadith like that, it means that we are part of justifying the accusations of the disbelievers that the Prophet was a prophet who was affected by magic, even though these accusations have been denied by Allah swt.

In addition, other criticisms come from hadith experts who highlight al-Bukhari's method of writing down the history of hadith. According to them, Imam al-Bukhari often wrote narrations of hadith that were not exactly the same as what he had heard, and sometimes the Imam only wrote down the meaning. Based on this fact, it can be understood that although the book of Shahih al-Bukhari was born as the work of a genius and intelligent human being, the book is still a human creation book that does not escape criticism. Thus conditions like this open up opportunities for anyone to be selective and critical of the hadiths in the book, so that there is always an open space to research and review the contents of the book of Shahih al-Bukhari scientifically.

### **Socio-Political Overview**

From this aspect, the first thing that the author focuses on is the problem of determining the path of the narrators of hadith which is only filled by people who have a good reputation. Logically, in the da'wah that was carried out, the Prophet did not always associate with the main companions who were considered to have good credibility and reputation, but also hung out with ordinary people or ordinary people who did not have a reputation as narrators of hadith according to the prescribed standards. by hadith scholars. Meanwhile, the social contacts that the Prophet saw contained missions and da'wah activities which can also be categorized as hadith. However, it is very unfortunate that the criteria for testimonials are only from the path of history that has a good reputation which can be categorized as authentic hadith. In addition, the number of narrators from the female line is also very small – if not considered non-existent – even though at the time of the Prophet saw many women involved in various legal issues who brought their problems directly to the Prophet. But what happened was the marginalization of the position of women in the narration of the hadiths in Shahih al-Bukhari which only opened the way for transmission to the wives of the Prophet alone, especially Ayesha and Hafshah.

Second, the book of Shahih al-Bukhari is arranged in a situation where the rulers of the Islamic caliphate where al-Bukhari lived were undemocratic and anti-critical rulers. According to the critics of the book Shahih al-Bukhari, the quality of the hadiths in the book is more or less related to the political problems that developed at that time. That is, the group of hadith experts – including al-



Bukhari – is said to have a greater opportunity to develop because they are closer to and become supporters of the ruler. The tendency to be in the ranks of supporters of the ruler is seen in the narrations in the book of Shahih al-Bukhari about the privileges of Umar bin Khathab. In addition, al-Bukhari also narrated many hadiths from the descendants of the Umayyads and figures who were pro to him such as the hadiths from Marwan bin Hakam, Abu Sufyan, Muawiyah, Amr bin Ash, Abdullah bin Amr bin Ash, and Nu'man bin Basyir al-Ansari. These figures were the main supporters of Muawiyah and Yazid's son Muawiyah. According to critics, the evidence of al-Bukhari's alignment with the ruler is even more evident by the absence of a single hadith in his Shahih that comes from Hasan and Husayn as narrators at the level or period of the sahabah.

In this regard, I do not agree with this opinion – namely the opinion that believes that Imam al-Bukhari was a scholar who was pro-Umayyad ruler – because when viewed from his lifetime, al-Bukhari lived around 194 AH/810 AD to 256 AH/870 AD where the Islamic caliphate at that time was held by the Bani Abbas family. During this time, al-Bukhari lived during the reign of the caliphs al-Ma'mun (d. 833 AD), al-Mu'tashim (d. 832 AD), al-Watsiq (d. 847 AD), al-Mutawakkil (d. 861 AD), al-Muntashir (d. 866 AD) and al-Mustain (d. 867 AD). Among the names of the Abbasid caliphs, the most notoriously cruel to the scholars were the caliphs of al-Ma'mun and al-Watsiq. It is said that al-Ma'mun was a rational-minded, science-loving caliph who was very close to the Muktazilah group. As a person who holds the highest position of power, he is tempted to force the hadithal ulama to use the understanding that he adheres to, namely the muktazilah ideology. Thus, those – namely the ulama – who hold different views from him will be persecuted by the state.

Regarding the nature of al-Ma'mun when he ruled, Imam Tabari told many hadithal scholars who did not like him because of his siding with the thoughts of the muktazilah. It is said that once the caliph gathered the scholars and interrogated them one by one by asking whether the Qur'an was qadim or a creature. Whoever answers that the Qur'an is qadim then they will be tortured until they are willing to admit that the Qur'an is a creature. Among the great scholars who were tortured during the time of al-Ma'mun was Imam Ahmad bin Hanbal who remained steadfast in his opinion against the muktazilah ideology. Apart from that politically, the hadithal clerics also disliked al-Ma'mun because of his inclination to the Shia sect. Al-Ma'mun chose to live in the city of Merw in Iran where there were many Shiites and Persians living, so he was accused of being a caliph who had no respect for the Arabs. He even dissociated himself from those who thought that Muawiyah was a good person. Instead he said that the most important person after the Messenger of Allah was Sayyidina Ali bin Abi Talib (Hosen, 2018). Al-Watsiq (d. 847 AD), the successor of al-Mu'tashim caliph who also appeared as a ruthless figure was known as the killer of the ulama. It is said that one day he interrogated a great scholar named Ahmad bin Nasir al-Khuza'i by asking questions about the Qur'an and whether humans will see Allah in the hereafter with their own eyes? When he

got an answer that was not as expected, the caliph became angry and cut off the head of the great scholar in front of muktazilah leaders and their ministers. Even that is not enough, about 29 followers of al-Khuza'i and their families were hunted down and put in prison, chained with iron and not given food and drink, nor was anyone allowed to visit them. Meanwhile, al-Khuza'i's headless body was hung for 6 years and was only taken down after the caliph al-Watsiq died. What al-Watsiq did was an infinite cruelty to the scholars (Hosen, 2018, pp. 68–70).

The next caliphs after al-Watsiq were the caliphs who gained power by bloody paths and cruelty. It was during this time that Imam al-Bukhari lived. Therefore, the author argues on the contrary, namely that the absence of hadith narrations from Imam Hasan and Husein actually shows the position of al-Bukhari which is opposite from the understanding of the rulers, where the ruler of the Abbasid dynasty (al-Ma'mun) is more inclined to Shi'ism, while the book of Shahih al-Bukhari is more contains a lot of hadith history from the Sunni group. However, the absence of hadiths about the succession of leadership in the book of Shahih al-Bukhari according to the author indicates a strong pressure from the rulers of the Islamic State to the scholars, especially hadithal scholars including al-Bukhari, so as not to include works that offend or can interfere with their power. In this regard, the author assumes that the interference of the authorities in scientific affairs and at the same time taking sides with the schools of thought, especially muktazilah thought, more or less affected the freedom of thought and work of the scholars of that time, including Imam al-Bukhari, because al-Bukhari lived in a situation like that. However, regardless of whether Imam al-Bukhari is a hadith scholar who is a supporter or even opposed to the rulers of the Islamic state, according to the author, the compilation of the book Shahih al-Bukhari is a work that cannot be separated from the influence of the political atmosphere at that time. It should be noted that the book of Shahih al-Bukhari which is considered sacred makes the rulers of the Islamic State who for centuries ruled in absolute monarchy benefit from the existence of this book. Because the content of the hadith contained in it is very useful for the benefit of the caliphs, especially to control the psychology of society which is directed at the hereafter orientation. Issues such as the conditions for becoming a caliph, the system of leadership succession, as well as the policies of the rulers that should be in line with the Sunnah of the Prophet, none of which are listed or discussed in the book of Shahih al-Bukhari, make Islamic rulers comfortable who justify any means to seize power. Therefore, in responding to the book, it should be placed as a work of human ijtihad that cannot be separated from the pressures and influences of the times faced by the author, the same as the works of other hadith books.

### **Kitab al-Bukhari in the Perspective of Science**

From a scientific perspective, there are actually hadiths in Shahih al-Bukhari that seem to contradict science and even other texts. For example, the hadith about the sun revolving around the

earth (Al-Bukhari, 1978, pp. 3199, 4802, 7424, 7433) is an example of a hadith that needs to be questioned for its authenticity, because it contradicts other texts, for example, Surah Yasin ayat 38, besides contradicting modern science which has definitely proven that the earth revolves around the sun. In the Middle Ages, the idea that the sun revolved around the earth was a belief of the church in Christianity, and caused a great feud between scientists and defenders of this understanding for a long time. In contrast to Islam, which considers things like this to be normal, even though it violates science. People will only say that our reasoning as humans is too weak to face the doctrine of authentic hadith so that we cannot reach the truth, and surely one day the authenticity of the hadith will be proven true. This is the view that we often hear when our reasoning questions a proposition that is considered valid.

The problem of drinking camel urine as medicine is another example of the hadith in Shahih al-Bukhari (Al-Bukhari, 1978, pp. 1501, 4447), which contradicts the texts of the Qur'an and also with the findings of modern science. The Qur'an repeatedly emphasizes the importance of cleanliness in human life and forbids consuming dirty objects (Surah al-A'raf ayat 157), while the act of drinking urine which is an unclean object – at least according to the schools of Abu Hanifah, Syafi'i, Abu Tsaur, Hammad, and several other fiqh scholars – actually violates the principles of the Qur'an which teaches humans to live clean. From a scientific perspective, camel urine is claimed to cure cancer. But on the other hand, it can also cause other diseases that are more dangerous and deadly. A study published in the Journal of Taibah University Medical Sciences, in April 2016 by Abdel Galil M. Abdel Gader and Abdulqader A. Alhaider, details the constituent components of camel milk and urine and their therapeutic components. Referring to previous research conducted by Dr Fatin Khorshid, the two scientists explained that lyophilized camel urine – that is, removing water by sublimation and converting it to a gaseous state – can stop the growth of tumor cells implanted in experimental animals. According to Khorshid's research, the compounds in camel urine can be toxic to cancer cells, cutting off the blood supply to tumor cells via an anti-angiogenesis mechanism. Angiogenesis - the formation of new blood vessels for wound healing, - is claimed to play an important role in the growth and spread of cancer cells through the bloodstream. The research was continued by Abdel and his team, and found that camel urine and milk could inhibit angiogenesis in mice. Until now, a number of studies continue to be done about the efficacy of camel urine which is consumed with a little milk mixed. Research related to this problem is mostly carried out by scientists from the Middle East. However, in contrast to the results of the research above, the World Health Organization (WHO) in mid-June 2015 banned the world community from consuming camel urine. This is related to the spread of the Middle East Respiratory Syndrome Coronavirus (MERS-CoV) which is thought to have originated from camel urine. The symptoms are characterized by fever, breathing problems, lung infections, kidney failure, and other deadly complications. At the end of

2017 WHO again strictly prohibited the consumption of camel urine due to a report from the United Arab Emirates (UAE) National IHR Focal Point regarding additional cases of Middle East Respiratory Syndrome (MERS-CoV) infection. The UAE then tested 10 camels that entered the al-Mezyad region for MERS-CoV screening. By examining the mucus in the respiratory tract using the polymerase chain reaction (PCR) technique, they identified the typical protein of the virus that causes MERS. The result is 5 out of 10 camels are positively infected. Infection with MERS-CoV is thought to cause severe illness that results in high mortality rates. Among the causes of human infection with MERS-CoV due to direct or indirect contact with dromedary camels originating from Saudi Arabia (Putri, 2018). From this it can be concluded that in addition to containing benefits, medically camel urine also causes great harm. Whereas in the rules of fiqh it is clearly stated that: *دَفْعُ الْمَفَاسِدِ مُقَدَّمٌ عَلَى جَلْبِ الْمَصَالِحِ* "Rejecting harm (should) take precedence over attracting benefit."

Also the following rules: *دَفْعُ الضَّرَرِ أَوْلَى مِنْ جَلْبِ النُّفْعِ* "Rejecting harm is more important than achieving benefit." Based on these rules, preventing disease due to drinking camel urine should take precedence over drinking it to obtain benefits. This can be confirmed by the law prohibiting drinking khamr, where in khamr there are benefits, but the harm is greater than the benefits. So far, it can be understood that in Shahih al-Bukhari there are hadiths that contradict both the texts of the Qur'an and modern science. The author in this case does not say that the contradicting hadiths are daif hadiths that do not need to be followed, but the author intends to emphasize that there is still an opportunity to question the authenticity of the hadiths in the book as the highest basis or argument for establishing Islamic law. The book of Jami' al-Kubra which is seen as a book written by al-Bukhari before his death, raises another assumption about the level of authenticity contained in the book of Shahih al-Bukhari. Because in the last written book the Imam himself revised a number of hadiths contained in his Shahih book. The occurrence of a reduction in the number of hadith categorized as authentic hadith by al-Bukhari indicates the need to re-analyze the contents of the hadith contained in the book. Therefore, the attitude of culting the authenticity of the hadiths contained in the book of al-Bukhari while trying their best to justify the book of Shahih al-Bukhari, either by interpreting, interpreting, or even believing it is something that does not need to be done.

Such an attitude - namely the rejection of authentic hadith because it is considered contrary to science or logical thinking - was once shown by a reforming cleric from al-Azhar, namely Sheikh Muhammad Abduh. In this regard, Mustafa Abdul Raziq, who wrote the preface to a collection of papers in the Al-Urwah al-Wutsqa magazine by al-Afghani and Abduh, stated that the source of religious teachings according to Abduh is the Qur'an and a little from the Sunnah which is amaliah. Therefore, Abduh called for the Qur'an to be the source of all schools of thought and opinion in religion (Jamaluddin al-Afghani & Muhammad Abduh, 1983, p. 36). The reformist scholars who uphold freedom of thought expressly ignore the ma'tsur (narration) aspect, nor do they pay

attention to the takhrij method and the historical aspects of the hadiths that it weakens. This can be found in his commentary which shows his rejection of the hadiths that were considered authentic by previous scholars because they were judged not to be in line with logical thinking or not in accordance with the editorials of the verses of the Qur'an. On the other hand, there are hadiths that are considered by scholars as weak hadiths, but are confirmed by Abduh as authentic because the content of these hadiths is considered to be in line with logical thinking (Ridha, n.d., p. 26).

According to Quraish Shihab, when scholars reject or ignore a hadith, they do so based on the principles of hadith science. This is what distinguishes them from Abduh who rejects the hadiths only by using the standard of reason and logical thinking. However, Quraish Shihab emphasized that it must be admitted that some of the hadiths that Abduh rejected or ignored had been rejected by other scholars before (Shihab, 2006, p. 53).

### **Overview of Fiqhiyah Rules**

As it is known that Imam al-Bukhari's field of knowledge is in the field of hadith, however, he often positions himself as a fiqh scholar who tries to provide an explanation of the law of a case. Confusion occurs when the fiqh scholars refer to the legal opinion of Imam al-Bukhari in his Shahih book which is then placed with the highest authority as they position the hadiths in his Shahih book above other books. Therefore, the book of Shahih al-Bukhari should be understood not only as a book of hadith, but also as a book of fiqh, so that scholars can position the book proportionally. So far, the book of Shahih al-Bukhari is only seen as a book of hadith so that the implications for its divine aspect are very strong and anti-critic. This is different if the book is positioned as a book of fiqh, it will change the perception of Muslims and lead to a critical attitude towards it. The book of Shahih al-Bukhari which is considered as the most valid by scholars because from the methodological aspect of the compiled hadiths that have been verified by the occurrence of meetings between teachers and students in the transmission of hadith, is the reason for criticism of the hadith of al-Bukhari - especially on the matan aspect - less done so far. Although, as previously described, the book contains hadiths that show irregularities and inconsistencies with both the texts and modern science.

This means that it is surprising when the contradictory hadiths of the hadith are still being defended vigorously, and even tend to be interpreted in order to compromise the hadith with the texts and scientific data that reject it. Whereas out there, hadith experts have set criteria for falsity of hadith, one of which is what Ibn Qayyim al-Jauzi said, "How accurate is the statement of people who say that every hadith I get is contrary to reason and violates various existing principles, as well as written evidence that shows the opposite, then know that it is a fake." (Al-Siba'i, 1991) Related to this problem, author will not hastily say that the hadiths of Shahih al-Bukhari which contradict the texts and science are maudhu '(false) hadiths, but a re-examination of the hadiths of al-Bukhari

is very important before making them the basis for establishing Islamic law.

The real implication that will appear in the placement of the book of Shahih al-Bukhari as a book of fiqh is that there will be enthusiasm to explore more critically the content of the hadith contained in the book, besides that it will also be able to map the position of al-Bukhari's level of expertise in the field of Islamic law. So far, the superiority of the book of Shahih al-Bukhari lies in the justification of the hadith that accompanies his work which is considered the most authoritative due to the setting of the strictest standards of authenticity compared to other hadith books. This perspective has become a stumbling block for the interests of developing Islamic legal thought, which should have an elastic character, being imprisoned by the authority of the authenticity of the hadith sanad in Shahih al-Bukhari. The themes in Shahih al-Bukhari should be seen as a description of the reality of legal problems faced by Muslims at that time where fiqh themes always changed and developed according to the problems faced by Muslims who were different in terms of culture, region, era, as well as other conditions, are not considered to be the highest and most authoritative level of authenticity of hadith.

In the rules of fiqh there is a rule as follows: *الإِجْتِهَادُ لَا يَنْقُضُ بِالْإِجْتِهَادِ* "A result of ijtihad is not canceled because of the results of another ijtihad". This rule emphasizes that a law resulting from ijtihad (human thought) has the same position, one cannot be said to be superior to the other. So if there is a mujtahid who decides a law, then there are other mujtahids who also decide a different law on the same case, then the position of these laws is equal, not mutually exclusive. In this case, people may choose which opinion is more suitable and easier for him to follow. If the above rules are related to the authority of the hadiths in the book of Shahih al-Bukhari as a basis in determining Islamic law, when the book of Shahih al-Bukhari is placed as a book of hadith, then al-Bukhari's decision starts from its determination in determining the criteria for authenticity to its conclusion on authenticity. The hadiths in his book are the result of his ijtihad. Likewise, when his Shahih was placed as a book of fiqh, his opinions on a law were a form of his ijtihad at that time. That is, in general the book of Shahih al-Bukhari is the result of al-Bukhari's ijtihad in the field of authenticity of hadith as well as in the field of fiqh. Therefore, the book should be treated as equal to the books of other hadith priests as long as the hadiths contained are recognized as hadiths originating from the Prophet. Thus, an atmosphere like this will give rise to a new spirit for Islamic scholars today in conducting ijtihad and studying hadith and Islamic law more freely without being limited by the hierarchical and shackled hadith books.

## Conclusion

Some points that can be concluded from this study are: First, the book of Shahih al-Bukhari until now is known as a hadith book with the highest level of validity compared to other hadith books. However, as a human work, the book of Shahih al-Bukhari does not escape various praises

and criticisms by its readers. Among the criticisms made by the hadith scholars there are things that the author does not agree with regarding al-Bukhari's closeness to the rulers of the Islamic State at his time. On the other hand, the author argues that al-Bukhari is in a position opposite to the religious understanding of the rulers. However, on the other hand, the author also indicated that the compilation of the book Shahih al-Bukhari was a work that could not be separated from the influence of the political atmosphere at that time. Second, in the book of Shahih al-Bukhari there are hadiths whose eyes are contrary to the higher texts – namely the texts of the Qur'an – and modern science that should be re-examined on these hadiths. Third, as a result of al-Bukhari's ijtihad in the field of authenticity of hadith as well as in the field of fiqh, the book of Shahih al-Bukhari should be treated equally with the books of other hadith priests as long as the hadiths contained are recognized as hadith originating from the Prophet.

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